

THE DEPARTMENT OF STATE BULLETIN

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DECEMBER 23, 1945

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In this issue

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THE DEPARTMENT OF STATE BULLETIN

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The Department of State BULLETIN, a weekly publication compiled and edited in the Division of Research and Publication, Office of Public Affairs, provides the public and interested agencies of the Government with information on developments in the field of foreign relations and on the work of the Department of State and the Foreign Service. The BULLETIN includes press releases on foreign policy issued by the White House and the Department, and statements and addresses made by the President and by the Secretary of State and other officers of the Department, as well as special articles on various phases of international affairs and the functions of the Department. Information concerning treaties and international agreements to which the United States is or may become a party and treaties of general international interest is included.

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Immigration to the United States of Certain Displaced Persons and Refugees in Europe

STATEMENT BY THE PRESIDENT

[Released to the press by the White House December 22]

The war has brought in its wake an appalling dislocation of populations in Europe. Many humanitarian organizations, including the United Nations Relief and Rehabilitation Administration, are doing their utmost to solve the multitude of problems arising in connection with this dislocation of hundreds of thousands of persons. Every effort is being made to return the displaced persons and refugees in the various countries of Europe to their former homes. The great difficulty is that so many of these persons have no homes to which they may return. The immensity of the problem of displaced persons and refugees is almost beyond comprehension.

A number of countries in Europe, including Switzerland, Sweden, France, and England, are working toward its solution. The United States shares the responsibility to relieve the suffering. To the extent that our present immigration laws permit, everything possible should be done at once to facilitate the entrance of some of these displaced persons and refugees into the United States.

In this way we may do something to relieve human misery and set an example to the other countries of the world which are able to receive some of these war sufferers. I feel that it is essential that we do this ourselves to show our good faith in requesting other nations to open their doors for this purpose.

Most of these persons are natives of central and eastern Europe and the Balkans. The immigration quotas for all these countries for one year total approximately 39,000, two thirds of which are allotted to Germany. Under the law, in any single month the number of visas issued cannot exceed 10 percent of the annual quota. This means that from now on only about 3,900 visas can be issued each month to persons who are natives of these countries.

Very few persons from Europe have migrated to the United States during the war years. In the fiscal year 1942, only 10 percent of the immigration quotas was used; in 1943, 5 percent; in 1944, 6 percent; and in 1945, 7 percent. As of November 30,

1945, the end of the fifth month of the present fiscal year, only about 10 percent of the quotas for the European countries has been used. These unused quotas however do not accumulate through the years, and I do not intend to ask the Congress to change this rule.

The factors chiefly responsible for these low immigration figures were restraints imposed by the enemy, transportation difficulties, and the absence of consular facilities. Most of those Europeans who have been admitted to the United States during the last five years were persons who left Europe prior to the war, and thereafter entered here from non-European countries.

I consider that common decency and the fundamental comradeship of all human beings require us to do what lies within our power to see that our established immigration quotas are used in order to reduce human suffering. I am taking the necessary steps to see that this is done as quickly as possible.

Of the displaced persons and refugees whose entrance into the United States we will permit under this plan, it is hoped that the majority will be orphaned children. The provisions of law prohibiting the entry of persons likely to become public charges will be strictly observed. Responsible welfare organizations now at work in this field will guarantee that these children will not become public charges. Similar guaranties have or will be made on behalf of adult persons. The record of these welfare organizations throughout the past years has been excellent, and I am informed that no persons admitted under their sponsorship have ever become charges on their communities. Moreover, many of the immigrants will have close family ties in the United States and will receive the assistance of their relatives until they are in a position to provide for themselves.

These relatives or organizations will also advance the necessary visa fees and travel fare. Where the necessary funds for travel fare and visa fees have not been advanced by a welfare organization or relative, the individual applicant must meet these costs. In this way the transportation of

these immigrants across the Atlantic will not cost the American taxpayers a single dollar.

In order to enter the United States it is necessary to obtain a visa from a consular officer of the Department of State. As everyone knows, a great many of our consular establishments all over the world were disrupted and their operations suspended when the war came. It is physically impossible to reopen and to restaff all of them overnight. Consequently it is necessary to choose the area in which to concentrate our immediate efforts. This is a painful necessity because it requires us to make an almost impossible choice among degrees of misery. But if we refrain from making a choice because it will necessarily be arbitrary, no choice will ever be made, and we shall end by helping no one.

The decision has been made, therefore, to concentrate our immediate efforts in the American zones of occupation in Europe. This is not intended however entirely to exclude issuance of visas in other parts of the world.

In our zones in Europe there are citizens of every major European country. Visas issued to displaced persons and refugees will be charged, according to law, to the countries of their origin. They will be distributed fairly among persons of all faiths, creeds, and nationalities.

It is intended that, as soon as practicable, regular consular facilities will be reestablished in every part of the world, and the usual, orderly methods of registering and reviewing visa applications will be resumed. The pressing need, however, is to act now in a way that will produce immediate and tangible results. I hope that by early spring adequate consular facilities will be in operation in our zones in Europe, so that immigration can begin immediately upon the availability of ships.

I am informed that there are various measures now pending before the Congress which would either prohibit or severely reduce further immigration. I hope that such legislation will not be passed. This period of unspeakable human distress is not the time for us to close or to narrow our gates. I wish to emphasize, however, that any effort to bring relief to these displaced persons and refugees must and will be strictly within the limits of the present quotas as imposed by law.

There is one particular matter involving a relatively small number of aliens. President Roosevelt, in an endeavor to assist in handling displaced

persons and refugees during the war and upon the recommendation of the War Refugee Board, directed that a group of about 1,000 displaced persons be removed from refugee camps in Italy and settled temporarily in a War Relocation Camp near Oswego, N. Y. Shortly thereafter, President Roosevelt informed the Congress that these persons would be returned to their homelands after the war.

Upon the basis of a careful survey by the Department of State and the Immigration and Naturalization Service, it has been determined that if these persons were now applying for admission to the United States most of them would be admissible under the immigration laws. In the circumstances, it would be inhumane and wasteful to require these people to go all the way back to Europe merely for the purpose of applying there for immigration visas and returning to the United States. Many of them have close relatives, including sons and daughters, who are citizens of the United States and who have served and are serving honorably in the armed forces of our country. I am therefore directing the Secretary of State and the Attorney General to adjust the immigration status of the members of this group who may wish to remain here, in strict accordance with existing laws and regulations.

The number of persons at the Oswego camp is, however, comparatively small. Our major task is to facilitate the entry into the United States of displaced persons and refugees still in Europe. To meet this larger problem, I am directing the Secretary of State, the Attorney General, the Secretary of War, the War Shipping Administrator, and the Surgeon General of the Public Health Service to proceed at once to take all appropriate steps to expedite the quota immigration of displaced persons and refugees from Europe to the United States. Representatives of these officials will depart for Europe very soon to prepare detailed plans for the prompt execution of this project.

The attached directive has been issued by me to the responsible Government agencies to carry out this policy. I wish to emphasize, above all, that nothing in this directive will deprive a single American soldier or his wife or children of a berth on a vessel homeward bound, or delay their return.

This is the opportunity for America to set an example for the rest of the world in cooperation towards alleviating human misery.

DIRECTIVE BY THE PRESIDENT

[Released to the press by the White House December 22]

DECEMBER 22, 1945.

MEMORANDUM TO:

Secretary of State
Secretary of War
Attorney General
War Shipping Administrator
Surgeon General of the Public Health Service
Director General of UNRRA

The grave dislocation of populations in Europe resulting from the war has produced human suffering that the people of the United States cannot and will not ignore. This Government should take every possible measure to facilitate full immigration to the United States under existing quota laws.

The war has most seriously disrupted our normal facilities for handling immigration matters in many parts of the world. At the same time, the demands upon those facilities have increased many-fold. It is, therefore, necessary that immigration under the quotas be resumed initially in the areas of greatest need. I, therefore, direct the Secretary of State, the Secretary of War, the Attorney General, the Surgeon General of the Public Health Service, the War Shipping Administrator, and other appropriate officials to take the following action:

The Secretary of State is directed to establish with the utmost despatch consular facilities at or near displaced person and refugee assembly center areas in the American zones of occupation. It shall be the responsibility of these consular officers, in conjunction with the Immigrant Inspectors, to determine as quickly as possible the eligibility of the applicants for visas and admission to the United States. For this purpose the Secretary will, if necessary, divert the personnel and funds of his Department from other functions in order to insure the most expeditious handling of this operation. In cooperation with the Attorney General, he shall appoint as temporary vice-consuls, authorized to issue visas, such officers of the Immigration and Naturalization Service as can be made available for this program. Within the limits of administrative discretion, the officers of the Department of State assigned to this program shall make every effort to simplify and to hasten the process of issuing visas. If necessary, blocs of visa numbers may be assigned to each of the emergency

consular establishments. Each such bloc may be used to meet the applications filed at the consular establishment to which the bloc is assigned. It is not intended however entirely to exclude the issuance of visas in other parts of the world.

Visas should be distributed fairly among persons of all faiths, creeds and nationalities. I desire that special attention be devoted to orphaned children to whom it is hoped the majority of visas will be issued.

With respect to the requirement of law that visas may not be issued to applicants likely to become public charges after admission to the United States, the Secretary of State shall cooperate with the Immigration and Naturalization Service in perfecting appropriate arrangements with welfare organizations in the United States which may be prepared to guarantee financial support to successful applicants. This may be accomplished by corporate affidavit or by any means deemed appropriate and practicable.

The Secretary of War, subject to limitations imposed by the Congress on War Department appropriations, will give such help as is practicable in:

(a) Furnishing information to appropriate consular officers and Immigrant Inspectors to facilitate in the selection of applicants for visas; and

(b) Assisting until other facilities suffice in:

- (1) Transporting immigrants to a European port;
- (2) Feeding, housing and providing medical care to such immigrants until embarked; and

(c) Making available office facilities, billets, messes, and transportation for Department of State, Department of Justice, and United Nations Relief and Rehabilitation Administration personnel connected with this work, where practicable and requiring no out-of-pocket expenditure by the War Department and when other suitable facilities are not available.

The Attorney General, through the Immigration and Naturalization Service, will assign personnel to duty in the American zones of occupation to make the immigration inspections, to assist consular officers of the Department of State in connection with the issuance of visas, and to take the necessary steps to settle the cases of those aliens

(Continued on next page)

American Policy in Iran

UNDER SECRETARY ACHESON ANSWERS EX-AMBASSADOR HURLEY'S CHARGES¹

SECRETARY ACHESON. Mr. Chairman and Members of the Committee: I think the answer, the direct answer, to the Senator's question [Senator Vandenberg had asked previously, "What, if anything, did you do to wreck the policy in Iran?"] is that I did nothing to wreck the policy of the United States in Iran.

The reference of the General [Hurley] to the newspaper story of May 20, 1944 makes it clear that he is referring to an incident which took place in the early months of 1944, principally in my office. The story of that incident is as follows:

In December of 1943 General Hurley wrote a letter to the President. The President received this some time in January and sent it over to the State Department with a memorandum, the memorandum stating that the President was attracted by certain of the ideas and recommendations made. He saw certain practical difficulties in the way of carrying it out, and he asked for comments of the State Department and a recommendation as to what reply should be made.

That memorandum was then circulated by the Office of the Secretary to his principal assistants in the Department for their views upon it. One of the views expressed was that this memorandum should be sent to other departments of the Government as a guide to their conduct. The memorandum in general expressed, in one part, certain general principles and methods which should be followed by the United States in the Middle East, and in another part it made a recommendation that a British governmental corporation which had been used to a certain extent in the distribution of lend-lease goods should no longer be used.

When the memorandum came to me, I wrote a note to the Secretary stating my views.

SENATOR VANDENBERG. What was your position at the time?

SECRETARY ACHESON. I was Assistant Secretary of State, in charge of the economic work of the State Department.

My views were in part critical of the memoran-

dum in its general phases, and in the course of that criticism I used an expression which later came to the attention of the General and caused resentment on his part. I shall return to that in a moment, if I may.

So far as the recommendation about lend-lease was concerned, I pointed out that there was no difference in principle between what had been done, what was being done, and what General Hurley thought should be done; that the difficulties were wholly of a practical nature, and that those were being worked out and would be worked out.

That memorandum, with the other papers, went

IMMIGRATION—Continued from page 983.

presently interned at Oswego through appropriate statutory and administrative processes.

The Administrator of the War Shipping Administration will make the necessary arrangements for water transportation from the port of embarkation in Europe to the United States subject to the provision that the movement of immigrants will in no way interfere with the scheduled return of service personnel and their spouses and children from the European theater.

The Surgeon General of the Public Health Service will assign to duty in the American zones of occupation the necessary personnel to conduct the mental and physical examinations of prospective immigrants prescribed in the immigration laws.

The Director General of the United Nations Relief and Rehabilitation Administration will be requested to provide all possible aid to the United States authorities in preparing these people for transportation to the United States and to assist in their care, particularly in the cases of children in transit and others needing special attention.

In order to insure the effective execution of this program, the Secretary of State, the Secretary of War, the Attorney General, War Shipping Administrator and the Surgeon General of the Public Health Service shall appoint representatives to serve as members of an interdepartmental committee under the Chairmanship of the Commissioner of Immigration and Naturalization.

¹ Testimony before the Senate Committee on Foreign Relations on Dec. 10, 1945.

to my superiors in the Department, who then directed what action should be taken. That action consisted of a letter from the President to General Hurley again expressing sympathy and approval of many of the ideas in the memorandum, but referring to the practical difficulties also.

The part relating to lend-lease was sent to the Foreign Economic Administration, which had been working with us on the solution of this problem in regard to the distribution of lend-lease supplies. We were at that time pretty well on the way to a solution of the problem. We were also well on the way to the liquidation of lend-lease supplies for the Middle East, and in a few months all shipments from this country were returned to private-trade sources so that that whole matter was taken care of.

That seemed to me to be the end of the matter so far as I was concerned. However, a few weeks after that General Hurley, who was on his way back from the Middle East, came to my office and asked for a meeting on the subject. We had a meeting of several officers of the Department, including a young assistant of mine. The meeting progressed amicably for a while, and then General Hurley referred with some heat to a phrase used in my memorandum to the Secretary. He attributed this phrase to the young assistant, who was present. I pointed out to the General that how I conducted the internal affairs of my office was not of any concern outside of the office, and that all memoranda which bore my name were my responsibility, and this one in particular was. The General brushed that aside as a somewhat quixotic attitude on my part, and continued to attack the assistant.

The matter became heated. Temperature rose, and with it the voices of the contestants, until finally the General asked my assistant why he was not in uniform, fighting with the forces of this country.

That seemed to me a particularly undesirable and unfortunate observation, because the young man not only had tried very hard to get in the Army, but he had been in the Army and had been discharged because he had a serious ailment of the back, for which he was then preparing for a major operation. He shortly afterward had that operation and was laid up for the better part of a year.

I intervened in the debate at this point and drew the General's attention to the undesirability of his remark. The general temperature seemed to cool a bit. We got everyone seated and withdrew appeals

which had been made to trial by combat, and finally we worked out an agreement by which the General withdrew this unhappy remark and I apologized to the General for any observations in my memorandum which he might regard as personally offensive.

That seemed to solve the matter and we went on and had a very amicable discussion, and I never heard of the thing from that day until it was printed in Mr. Pearson's newspaper column on May 20th, and I never heard of it again until the General brought it up in his testimony.

We have met several times. We have had several discussions of the subject of lend-lease supplies, and I had not realized that I was supposed to have wrecked any policy.

That, Senator, is the story as I know it.

Further Statement by Under Secretary of State
Dean Acheson

THE CHAIRMAN.¹ Mr. Secretary, you have heard the testimony of General Hurley on the Iranian matter. Would you mind telling us whether or not you in any wise defeated or blocked our policy in Iran? You heard his testimony that after the policy had been adopted, you had not carried it out, and you had blocked and defeated it. Will you tell us about that?

SECRETARY ACHESON. Yes, Senator. As I stated at the outset, there is no policy ever put into effect by this Government in Iran or elsewhere which I have blocked or destroyed or in any way interfered with; on the contrary, I have always attempted to carry out to the best of my ability the instructions which I have received.

I should like to say that I think there has been some confusion introduced into the matter of this memorandum. There are two things which have been discussed this morning which are quite separate. One is the early part of the General's memorandum, in which he recommended certain general principles and undertakings which this country should assume in the Middle East. In the latter part of it, he made some recommendations about lend-lease. Now, those things are separate and distinct. The first one, I criticized, as I thought it was my duty to do, and I did it vigorously. I thought that what the General recommended was going to get us into commitments which were beyond the capacity or the desire of this Government or of this people, and would get us into trouble. That view was submitted, and that is all I had to do with it.

¹ Senator Connally.

In so far as the President's letter constitutes an approval of that part of the General's report, it constitutes an overruling of my point of view. There were missions in Iran; there are missions in Iran today. There is a financial mission which is there, employed by the Iranian Government, made up of Americans who advise that Government on finance, taxation, budget, and so forth. There is a police mission, an American mission which is there advising and helping the Government with its police forces. There is a military mission there of American soldiers who are advising the Iranian Government on the organization of its Army. There is a public-health mission there under Dr. Avery, made up of Americans who are advising Iran on public-health matters.

There was established at Cairo an agricultural mission, members of which were sent up to Tehran to advise that Government on its agricultural problems, and from time to time other American experts were attached to the office in Cairo, who went to Iran and to other countries and advised those governments. Now, that policy has never been interfered with at all. In so far as any part of it fell within my duties, I helped it.

The idea expressed by the General that I am in favor of monopoly and imperialism and against democracy is utterly fantastic. No action of mine, no word of mine, has ever furnished any basis whatever for such a statement.

Now we come to the second thing, which is the lend-lease part of the General's report. The General did not understand, when he wrote his report, and has never understood, the facts about lend-lease in Iran. He was under the impression that all the American lend-lease goods were being distributed by a British corporation. That was not the case. There has never, I said, been any question of principle between the views which the General expressed in his letter and what was done and attempted to be done. There has been a great difference between the General and all people dealing with this in an understanding of what the facts were.

Before his report came in and afterward, American military lend-lease goods destined for the Iranian Government were handled by the U.S. armed forces. Also, lend-lease goods destined for the Iranian Government were handled by American officials. There was a small portion of the lend-lease goods to Iran which had to be put into commercial channels of distribution—consumers'

goods imported for the Iranian public; and how that was to be done was not a problem of the State Department, which is not an operating agency, but a problem of the Foreign Economic Administration; and people were sent to Iran to determine how it should be done.

It was discovered that in order to handle this comparatively small amount of goods it would require a very large force of Americans, who would have to be transported to Iran. There were great difficulties in the way of recruiting such a force; there were even greater difficulties in the way of transporting such a force to Iran. Therefore, the services of a British Government-owned corporation, the United Kingdom Corporation, were employed. That corporation received the goods, distributed them to the commercial distributors, received the proceeds, and turned the proceeds over to the United States. All the proceeds for those goods have been turned over and are in the possession of the United States.

When the General's memorandum came along it was desired to cut down the use of the United Kingdom Corporation, to use Americans as much as possible; but even more than any of those things, what we wished to do was to stop using lend-lease as the method for sending these goods to Iran for commercial distribution. The lend-lease mechanism had to be used during the taut days of the war when the only things which could be introduced into the Middle East were through government shipments because of the need of transport for war purposes; but when we could, we immediately began returning all of this trade to private channels; and a few months after this memorandum came along, that was accomplished; and it is now going forward.

The discussion on lend-lease was never a discussion of principle; it was never a discussion about matters which were within the control of the State Department. It was a practical matter of administration and operation—how could you take these goods which finally found their way to one of the ports in the Red Sea and send them to commercial distributors? If you could have done it by Americans—if they had been there—of course that was the way to do it. Nobody had any other idea than that was the way to do it, but there were not sufficient Americans. This other corporation was used; its use was cut down; and finally the whole operation was discontinued.

I think that is all I have to say.

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A National Intelligence Program

RADIO BROADCAST

Participants

WILLIAM BENTON
Assistant Secretary of State for Public Affairs

ALFRED MCCORMACK
Special Assistant to the Secretary of State in charge of research and intelligence

STERLING FISHER
Director, NBC University of the Air

[Released to the press December 22]

ANNOUNCER: Here are *Headlines from Washington*:

Colonel McCormack of State Department Outlines Plan for a Unified Intelligence Service; Advocates a National Intelligence Authority To Plan a Government-Wide Intelligence Program and Insure That It Will Be Carried Out.

Assistant Secretary of State Benton Says an Adequate Intelligence System Is Essential to Our Foreign Information Service; Advocates Making a Maximum of Information on Other Countries Available to American Public.

This is the second of a new group of State Department broadcasts presented by the NBC University of the Air as part of a larger series on "Our Foreign Policy". This time Mr. William Benton, Assistant Secretary of State for Public Affairs, and Mr. Alfred McCormack, Special Assistant to the Secretary of State in charge of research and intelligence, will present the State Department's proposal for a unified intelligence system. Sterling Fisher, Director of the NBC University of the Air, will be chairman of the discussion. Mr. Fisher—

FISHER: A good many of us, when we hear the word *intelligence*, think of IQ's and mental tests. I think it would be well to start off, like Socrates, with a definition of the term. Do you want to try your hand at it, Mr. Benton?

BENTON: I think I ought to say first, Mr. Fisher, that my main interest in intelligence—as we are using the word here—is in its usefulness to my task of transmitting a maximum of information

to the people, through education, through reports on foreign affairs, through building better understanding of ourselves and of other peoples. As we said last week, this is now a fundamental part of American foreign policy.

FISHER: It's really too bad the word *intelligence* has so many meanings.

BENTON: Of course, there are many interpretations of intelligence, depending on where you sit and what you're looking at. I'm sure Hitler never thought Roosevelt intelligent. We tend to think anyone who disagrees with us is unintelligent. But that's not the sense in which we're using the term here. This program is mainly Colonel McCormack's program—the Washington Colonel McCormack, not the Chicago one. During the war Colonel McCormack has been Director of Intelligence for the Military Intelligence Service of the War Department. Let's ask him for his definition of *intelligence*.

MCCORMACK: Well, I might start off by saying what intelligence *isn't*. It isn't primarily—or even to any larger extent—the cloak-and-dagger stuff that you read about in the spy books; at least peacetime intelligence is not of the cloak-and-dagger type.

FISHER: What 'do you mean by "cloak and dagger" type, Colonel McCormack?

MCCORMACK: I mean the sort of thing the OSS—the Office of Strategic Services—did in making contact with Marshal Tito's partisans in Yugoslavia, or with the resistance movements of Burma and Siam.

FISHER: If you're going to start by describing what intelligence is *not*, Colonel, you might tell us a little about one of these cloak-and-dagger cases to show how wartime operations differ from peacetime intelligence.

MCCORMACK: The Yugoslav operation is a good example. In October 1943, Maj. Louis Huot of the OSS went to Bari, Italy, to establish a base. From there he went into Yugoslavia to make contact with Tito and arrange for a supply line into partisan territory. OSS located its supply base on the island of Vis off the Dalmatian coast, which the partisans held. A regular shipping line

was then extended to Vis, the ships traveling by night in the enemy-held waters. As many as 20 ships were en route at one time. From the coast, a fleet of heavy trucks carried supplies through territory heavily garrisoned by the Germans and into the hills, where the partisans had their bases. During the winter of 1943-44 OSS shipped in to the partisans about 19,000 rifles, 165,000 hand grenades, over 600 machine-guns, and thousands of bales of shoes and clothing. Quite an operation.

FISHER: Running guns is a good example, then, of what peacetime intelligence is *not*.

McCORMACK: Exactly. Our hardest job is to overcome this romantic but false idea of what intelligence work is. The notion that it is all gun-running, espionage, and sabotage is still very prevalent.

BENTON: Of course, Colonel, some good intelligence came out of that Yugoslav operation. I remember hearing how the OSS brought back valuable information about the German mine fields, the Yugoslav battle order, the relative strength of the partisans and the smaller army of General Mihailovic, and even about Marshal Tito and the members of his government.

McCORMACK: Yes, Mr. Benton, that was a good example of wartime intelligence work. But it is not the sort of intelligence work that you do in peacetime.

FISHER: But, Colonel McCormack, isn't the OSS—the so-called "cloak and dagger" outfit—the nucleus of the intelligence organization for which you are responsible in the State Department?

McCORMACK: No, Mr. Fisher, the operations end of the OSS—which during the war carried on secret intelligence, sabotage, and that sort of thing—has all gone over to the War Department, to be absorbed into normal peacetime work. What the State Department has taken over is the research and analysis organization—the outfit whose business it is, you might say, to turn information into intelligence—to take the mass of incoming material and get the truth out of it. That job—and I cannot emphasize this too strongly—is the critical and vital phase of intelligence work. Incoming information is good, bad, and indifferent, and it is useless unless it is pieced together, checked, and rechecked, so that the bad and the indifferent information is weeded out.

FISHER: It seems to me that we have arrived

at a rough description of what we mean by intelligence—even if we got there by the back door, as it were.

McCORMACK: I might put it this way: Foreign intelligence—and we are talking only about foreign intelligence—is the sum total of all information about foreign countries which is relevant to the policies and problems of the Government.

FISHER: Under that definition it would seem to me that intelligence covers the whole range of human knowledge.

McCORMACK: It does. It ranges from estimates, say, of the political intentions of a revolutionary party in some country to the most detailed kind of information, such as the depth of water at a particular point on a beach where conceivably military operations might some day occur.

FISHER: Mr. Benton, what would you add to that?

BENTON: I think, Mr. Fisher, we mean by intelligence—foreign intelligence—accurate, complete, and timely information about foreign countries. Whenever you have a problem, you need information—intelligence—to help you arrive at the right answer. In fact, you need that kind of intelligence, and also intelligence of the ordinary garden variety—common sense—to help you use your information. The best intelligence in the world—I'm talking about information now—doesn't help a man who won't believe it, won't apply it, won't use his common sense. The British, back in the late 1930's, had one of the best intelligence systems in the world—but I gather that their top policy-makers didn't use their intelligence about Germany. For that matter, I'm not sure that we have always used *our* intelligence to good advantage.

FISHER: Yes, we must add common sense to intelligence, Mr. Benton; we can all agree on that. But can you give us some *examples* of the sort of peacetime intelligence we'll be needing?

BENTON: Well, take the international information service that the State Department will be operating abroad. You can't do a first-rate job of that without knowing what foreign peoples want to know and understand about us. What, for example, confuses and puzzles them about America? We want to project the image of America abroad. We want to explain American foreign policy and the basis for it. This will be a contribution to world peace, because peace is based on *understanding*. But we can't succeed unless we

have a very good knowledge of the peoples to whom we are talking, and their attitudes.

McCORMACK: In other words, Bill, if you are going to broadcast to people, you must talk to them not only in their own language, but in terms they will understand. So you must know them.

BENTON: We must know them if we are to tell them about us. We can't address a vacuum. We must have a maximum flow of information coming in. And I believe the intelligence we get about foreign countries should be shared generally with members of the American public—to help them understand other peoples.

FISHER: And for this we need intelligence about our closest Allies as well as about other nations, Mr. Benton.

BENTON: Yes, Mr. Fisher; a good example of that is the proposed British loan. Our representatives in those negotiations were supplied with a thick handbook of facts—intelligence—about economic conditions in Great Britain, her resources, the effect of the war on her economy, the type of help she needed to get back on her feet, and what she could reasonably be expected to contribute to the bargain. When the negotiations began both the British and Americans were fully aware that the other party knew all economic factors involved. This was no poker game where any party could or had to maintain a bluff. Beginning with all the cards on the table, the negotiators were able to spend their entire efforts on coming to an agreement that would benefit both parties and the world at large.

FISHER: Mr. McCormack, what would you add to that?

McCORMACK: Well, I might state the objectives of our foreign intelligence—why we need accurate and complete information about foreign countries. The first objective is to know and understand the other countries and peoples of the world well enough to live with them in peace—to shape our policy, as it affects other peoples, toward the aims of peace. The second objective is to be prepared for war if it occurs.

BENTON: That's a mighty clear statement of our objectives, Al. I would like to point out one thing more: A great deal of the work that is done in gathering intelligence is prosaic, routine, day-to-day reading of newspapers, reports, radio broadcasts, technical journals, and so on. There's nothing very glamorous about this. But it's a basic part of a government's intelligence operation.

FISHER: That's where the professors come in, I suppose.

BENTON: There are some who make snide remarks about the "professors" in OSS and Government departments. The fact is, they are among the ablest intelligence officers we have—and in private life their research, their scholarly journals, and so on are gold mines of information for anyone who will take the trouble to read them and try to understand what they are saying. It's necessary to accumulate such a backlog of information that when you need a fact it's there—you know where to find it. And 90 percent or more of intelligence is freely available to anyone who wants it. You can get it in libraries and bookshops and on news-stands, from individuals or from our accredited mission abroad. It's *open* intelligence.

FISHER: Do you agree on this point, Colonel McCormack?

McCORMACK: Yes, most of the intelligence this Government needs to carry on its peacetime foreign relations is available here and in other countries. It may take hard work to find it and put it together, but it is there, in sources that are open and above-board. We don't have to drop in a secret agent by parachute to get the business, trade, political, and most of the other information we need.

BENTON: Other nations know that intelligence work is not as sinister as it sounds to some Americans. Other governments know that intelligence, quickly gathered and carefully analyzed, is the foundation for open and honest peacetime dealings. I believe that intelligence should be freely exchanged among nations. I hope other nations will have the sort of intelligence operations over here that will give them a real understanding of America. I'm not talking about military secrets here, of course, but about basic knowledge of America.

FISHER: There's one question that needs to be answered, though, Colonel McCormack. We had our intelligence agencies before the war. Didn't they serve their purpose pretty well?

McCORMACK: Well, Mr. Fisher, it's true that we have vast resources in this Government and this Nation for intelligence, but we were not making anything like full use of them before the war. For example: At least 80 percent of the information used in the air war against the Japanese homeland was physically within the United States when the war started. It was in the files of the Army,

Navy, various branches of the Government—in the files of banks, insurance companies, engineering and construction companies, business firms of all kinds, religious organizations, and even in the minds and private records of individuals. But to find all that information, put it together, and make it mean something took about two and a half years. If we are threatened with war again, we are not likely to have two and one-half years for preparation of essential intelligence. We may not have even two and one-half months. Therefore, we propose to have our intelligence ready for any emergency.

FISHER: I'm sure all Americans will second that.

McCORMACK: I should add this: Our physical scientists, our social scientists—our specialists and experts—know a great deal about the physical world and the peoples of the world, but we do not know everything. When something new comes along, like the atomic bomb, new needs for intelligence arise. And on any subject that you want to name there is still a lot to be learned.

BENTON: I can illustrate that point. Not long ago a Government geographer made a map of the world's mineral resources, in terms of our knowledge of them. Where we were well informed, he drew the area in black; where our information was only fair, he used dark gray; and where we had comparatively little information, light gray. And most of the surface of the earth was in light gray.

McCORMACK: And that's a pretty serious matter, Bill, when you consider the importance of the rare metals.

FISHER: Did our intelligence compare favorably with that of other countries during the war, Colonel McCormack?

McCORMACK: Very favorably, I would say. We made our mistakes in intelligence, of course, just as in other fields. We were slow in getting started, but at the critical periods of the war our intelligence was good. On the whole, the intelligence of the Allies in Europe was considerably better than that of the Germans, and in the Pacific it was vastly superior to that of the Japanese. During the last year of the war we actually knew more about the Japanese than they knew about themselves, in such important matters as the dispositions and activities of their armed forces and their shipping, for example.

FISHER: Has the Pearl Harbor investigation brought out any important lessons about intelligence?

McCORMACK: Well, it has given further support to one basic doctrine of the Army and Navy namely, that in intelligence work the thing that you must worry about is not so much what you think the enemy is going to do, but what he might be capable of doing. You must prepare yourself against everything that he has the capacity to do, and not merely what you think he is going to do.

BENTON: What concerns me most is the need for more accurate and up-to-the-minute information on the things that people *live by*—their cultural traditions and their current attitudes. That's not cloak-and-dagger stuff, and it may sound dull, but it's important to us—not only in our broadcasting and information work, but for the State Department in formulating foreign policy.

FISHER: In other words, you can't have a sound policy without a sound basis for it.

BENTON: That's right—and that includes accurate information about the peoples as well as the governments of other countries.

FISHER: Well, gentlemen, you've certainly established the need for good intelligence. The key question, then, is how to get it—how to improve our facilities for gathering information and channeling it to the people who need it. Colonel McCormack, I understand that you're in favor of a unified intelligence service.

McCORMACK: That, Mr. Fisher, is like saying you are for sunshine or mother-love. Everybody is for unified intelligence. There are, however, a number of different views as to how to go about it.

FISHER: Do you support the proposal for one big intelligence agency, to take in all those now in the field?

McCORMACK: No, and I consider that proposal unrealistic, because the subject-matter of intelligence is too varied and too complicated, and because intelligence work must be done where the decisions are made, and by those who are specialists in each field. No one would think of taking medical intelligence, for example, away from the Medical Corps and putting it in some big agency. Certainly the Army and Navy would not turn over military intelligence to a central agency. I have always thought that the proposal for one big intelligence organization, separated from the operating departments of the Government, was like a proposal that all the lawyers in Washington

should turn over the preparation of their cases to a central organization.

FISHER: But how, then, do you propose to get unified intelligence?

McCORMACK: I would propose to get it by using the existing resources of all the Government departments—by a system that will encourage the research and intelligence organizations of the Government to do their best job possible in their own fields and to make the results freely available to one another.

FISHER: You'd have a sort of coordinating agency, Colonel?

McCORMACK: Let's steer clear of that word *coordinate*, Mr. Fisher, or Bill here may throw the old gag at me about a "coordinator to coordinate the coordinators". That concept of a "coordinating agency" is based on the mistaken idea that all you have to do is set the facts to flowing like water through a pipe, and then sit around and coordinate them. Actually, it's not that easy.

FISHER: But you're against creating one central agency even to process all intelligence.

McCORMACK: I'm against the idea that you have one place into which all information flows, yes. To me that seems impracticable. In the first place, you would have to have a perfectly enormous organization; and second, you cannot and should not remove the intelligence operation from the agencies where day-to-day policy decisions have to be made.

FISHER: How would you handle it, then?

McCORMACK: I would set up a mechanism to make sure that anyone in the Government who needs intelligence gets it. The nature of this business is such that everybody is everybody else's customer. I want to see that intelligence flows easily from one department to another. I think the collection and basic analysis in each field of intelligence should be assigned to the agency having the primary responsibility in that field. But it should collect and analyze the information in that field required by all other agencies and should make it available to all agencies that have need for it. Once an intelligence agency becomes aware of the fact that it has another agency as a customer, it generally does a good job of tailoring its work to the needs of that customer.

BENTON: That's the job that most needs doing—defining the market for intelligence within the Government. And let's hope the Government will use the information—with a lot of common sense!

McCORMACK: Take weather intelligence. Very few people realize how important that is. The job of getting the information rests with the Weather Bureau and, especially in wartime, with the Army Air Forces and the Navy. But the customers for weather intelligence include the Civil Aeronautics Board, the Maritime Commission, various agencies in the Department of Commerce, shipping and air-transport companies, and, in fact, every agency engaged in foreign operations.

BENTON: I think, Sterling, that you might ask Colonel McCormack about the Department's specific proposals.

FISHER: By all means. Exactly what kind of organization do you propose, Colonel?

McCORMACK: We propose to create a national intelligence authority, presided over by the Secretaries of State, War, and Navy, with the Secretary of State as chairman. The heads of other departments and agencies would be brought in when problems that concern them are up for discussion, but the State, War, and Navy Secretaries would be permanent members.

FISHER: That sounds like a centralized agency to me.

McCORMACK: We do propose to unify and centralize the *planning* of intelligence work in the Government, and the job of seeing to it that the plans are carried out, but not by setting up a large and expensive agency on top of those that are already operating.

BENTON: In other words, the plan is to harness all intelligence resources in the Government by getting more effective cooperation among departments.

McCORMACK: That's right. And by making sure that every field of intelligence is being covered by the agency best able to do the job.

FISHER: Colonel McCormack, who would actually run the authority? The Secretary of State would surely be too busy to give it much of his time.

McCORMACK: There would be a director or executive secretary, with a full-time staff drawn from the interested departments, who would be responsible for the preparation and execution of the intelligence program.

FISHER: From what you say about the range of subjects that foreign intelligence covers, your executive and his staff will have a big job.

McCORMACK: They would—too big a job to be done by a single staff. We therefore propose to

set up interdepartmental working committees for each of the principal fields of intelligence—political, intelligence, military, economic, geographic, scientific and technological, sociological, et cetera. In each case the department of primary interest would furnish a full-time chairman and any necessary staff. The job of each committee would be to plan the intelligence program in its own field on a Government-wide basis; to allocate responsibilities for the work among the agencies best able to do the work; to insure that the results are available to all who need them; and to provide a continuous mechanism for reviewing the state of our intelligence on any subject, and for recommending means for improving it. It would be the job of the executive secretary and his staff to review the work of these committees and bring it together, so as to insure that the Government's program covers the whole field of foreign intelligence, and that every participating agency is doing the job assigned to it.

FISHER: Let's take the sociological committee. Who would be represented on that?

McCORMACK: The State, War, and Navy Departments, as well as several others—say Commerce, Labor, Agriculture, the Federal Security Agency, possibly others.

FISHER: And what sort of intelligence would the sociological committee be interested in? The study of groups in foreign countries?

McCORMACK: Yes, and various other types of practical knowledge—such measurable facts as population, size and rate of growth, birth and death rates, racial characteristics, military manpower, migration, education, health and living standards, family structure, and many other things.

FISHER: Colonel McCormack, wouldn't there also be some types of intelligence operations designed to protect us from foreign spies and saboteurs?

McCORMACK: Yes, that is called "security" intelligence, and there would be similar arrangements for it. Take the matter of controlling the movement of aliens in and out of the country. Here several departments are involved. State is concerned with passport control and visas; FBI with keeping subversive aliens out of the country; Treasury with violations of the customs and revenue laws. The intelligence authority would provide machinery for all those agencies to cooperate in planning their intelligence jobs.

BENTON: I think we should make this clear. Al: The proposed authority will be concerned only with foreign intelligence—that is, those aspects affecting our relations with other nations. It will steer clear of domestic matters.

McCORMACK: That's right, Bill. It will have nothing to do with policing or law enforcement—and that's as it should be, because a foreign national intelligence organization has no business meddling in our domestic affairs.

FISHER: Now, Colonel McCormack, would this proposed national intelligence authority have any operations of its own?

McCORMACK: It might. There are some service functions that can be performed by one agency on behalf of everybody, serving many departments: the Foreign Broadcast Intelligence Service, for example, which listens to foreign radio broadcasts. That is a very important source of information about the governments and people of other countries—about what they are doing and thinking. It yields information that can be obtained in no other way, and you get the information without delay.

FISHER: I understand the Foreign Broadcast Intelligence Service nearly expired about two weeks ago, Colonel, for lack of funds.

McCORMACK: It was a close call. We almost lost one of our most valuable intelligence agencies. The State Department didn't have funds to take it over, but G-2—Military Intelligence—has arranged to carry it until June 30. After that, perhaps the national intelligence authority—or the State Department—may be able to take it over.

BENTON: We need those reports on foreign radio for use in our own broadcasting. They are indispensable. And I'm sure Military Intelligence appreciates the importance of radio monitoring after the experience of the war.

McCORMACK: Yes, Bill, during the war it gave the answer to many an intelligence puzzle, sometimes in a wholly unexpected way. For instance: Early this year we were trying hard to find out where the Japs had hidden their tetra-ethyl lead plants—their source of ethyl fluid for aviation gasoline. To make that product you need sodium and lead—the two essential ingredients. Well, the boys in G-2 spotted a Jap radio announcement that the Emperor had decorated a number of scientists for their war work. There were two chemists on the list who lived in the same town—the small and not very important city of Koriyama. And here

was the clue: One chemist worked for the Nippon Soda Company, the other for the Mitsubishi Lead Company. So Koriyama could be producing sodium and lead, and if so, the odds were that it produced ethyl fluid. General LeMay sent his boys up to take pictures; the oil experts studied them; and there was the ethyl plant, big as life. But not for long. It was rubble and ashes after one visit from the B-29's. But it would be standing today if we had missed the clue in the broadcast.

FISHER: That's a striking example of war intelligence. But to come back to the problem of unifying our intelligence work: Colonel McCormack, where would your Research and Intelligence Office in the State Department fit into the picture?

McCORMACK: It will fill a long-felt need for such services in the Department. In doing so, it will use its own sources of information as well as the intelligence reports of other agencies. We couldn't possibly have a staff large enough to do the whole job ourselves. We must rely on the Army, Navy, Agriculture, Commerce, and other agencies for much of the information we need.

FISHER: Do the Army and Navy intelligence reports come to the State Department automatically, or do you have to ask for them?

McCORMACK: Most of them are channeled to us. But we don't pretend to be a clearing house for all intelligence. We get only such reports as we can use, on a regular basis. Under the proposed intelligence authority, the State Department will be represented on most of the working committees, since its interests are so wide. So it will be in close touch with everything that goes on in the intelligence field.

BENTON: Of course, there are precedents for this. An interdepartmental committee on intelligence—the Joint Intelligence Committee—was set up during the war.

McCORMACK: Yes, and it worked well, Bill, as far as it went. It was, however, an agency of the Joint Chiefs of Staff, designed to serve their particular needs. It was not intended—and it did not attempt—to do a complete intelligence job on a Government-wide basis.

FISHER: Hasn't the State Department had some differences of opinion with the Army and Navy intelligence people, Colonel, when it came to defining the scope of the proposed new authority?

McCORMACK: I wouldn't put it that way, Mr. Fisher. The subject is complicated, and naturally there are different views—not only among the de-

partments but within each one—as to the machinery that will work best. The Secretary of State, as directed by the President, proposed a plan. Later he modified it in a number of respects to meet the views of the Army and Navy. The modifications didn't hurt it; I think they improved it. One or two points are still under discussion, but I hope that complete agreement will soon be reached, and that the final result will be the best thought of three departments. If it is, the plan will have good promise of success. The important thing—and this I stress—is that the departments are agreed on the objectives and are working hard to find the best answer for the Government as a whole.

FISHER: Now, Mr. McCormack, how much is all this going to cost? That's a question the House Appropriations Committee will ask you.

McCORMACK: Well, Mr. Fisher, that is a very searching question. I would like to answer it in two parts: How much we can afford to pay for good intelligence, and how much we are now planning to spend.

As to the first question, suppose that during the 1930's the democratic powers had really understood the capabilities of Hitler's Germany and that we had all armed ourselves, and shaped our foreign policies, to prevent the course of action that led to war. How much could we have afforded to pay for intelligence which would have averted the war? Well, if we had spent 50 billion dollars on it, it would have been dirt cheap.

So, I say that this country can afford to spend for good foreign intelligence a great deal more money than good intelligence will ever cost.

As for the more practical question—how much we are planning to spend—the State Department's intelligence program for the next fiscal year calls for about 6 million dollars. Maybe that is too little, and if it is, we shall go to the Congress and ask for more. But for the time being we are proposing to plan the work on a long-range basis, to start on a modest scale, and to make the fullest use of the Government's existing resources for intelligence work.

BENTON: Six million dollars per year sounds like a modest sum to me, when you consider that a major war costs more than that per hour.

FISHER: To summarize what you have said, then, we stand in need of a good, efficient, unified intelligence service. It won't all be like the war-

(Continued on page 1006)

Civilian Requirements From War to Peace: The Middle East Supply Center

BY FRANCIS BOARDMAN¹

ON THE EVE of November 1, 1945 some 200 British and American economic officials attended a farewell banquet at Shepherd's Hotel in Cairo in honor of the successful completion of a unique venture in international cooperation. For four and a half years the Middle East Supply Center had supervised the imports, and to some extent the production, of 18 Middle East countries in order to conserve Allied shipping and resources and at the same time to prevent economic break-down in this sensitive crossroads area of 70 million inhabitants by insuring that sufficient civilian supplies were available. The next day, by common consent of its British founders and their American colleagues, the Middle East Supply Center would be dissolved.

When M.E.S.C. was established in April 1941, German troops were driving through Greece; the Italian Army was contesting outnumbered British forces in Libya and Ethiopia; Axis planes were raiding Cyprus and Palestine; and Axis agents and propaganda were becoming increasingly active in Iraq and Iran. The pre-war channels of supply to the Middle East had been severely disrupted and clogged with military traffic so that the area was acutely short of the essential manufactured goods which it had customarily imported. Europe had been eliminated as a source for civilian supplies, and, with the Mediterranean closed to commercial shipping, the sea routes from England and North America were tripled in length. The Middle East was entering furthermore upon an unusually wide-spread series of crop shortages.

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Objectives and Organization

For reasons of security, the British Army had attempted to organize civilian supplies for the area; but, because it was engrossed in the immediate task of holding back the enemy, it had difficulty in dealing with the heterogeneous Middle East governments on civilian-supply matters. M.E.S.C. therefore was established as a British civilian agency with headquarters in Cairo. Administratively, it was a subsidiary of the Ministry of War Transport, and its staff, which numbered about 100 for the first year, was comprised preponderantly of British officers transferred to the Ministry.

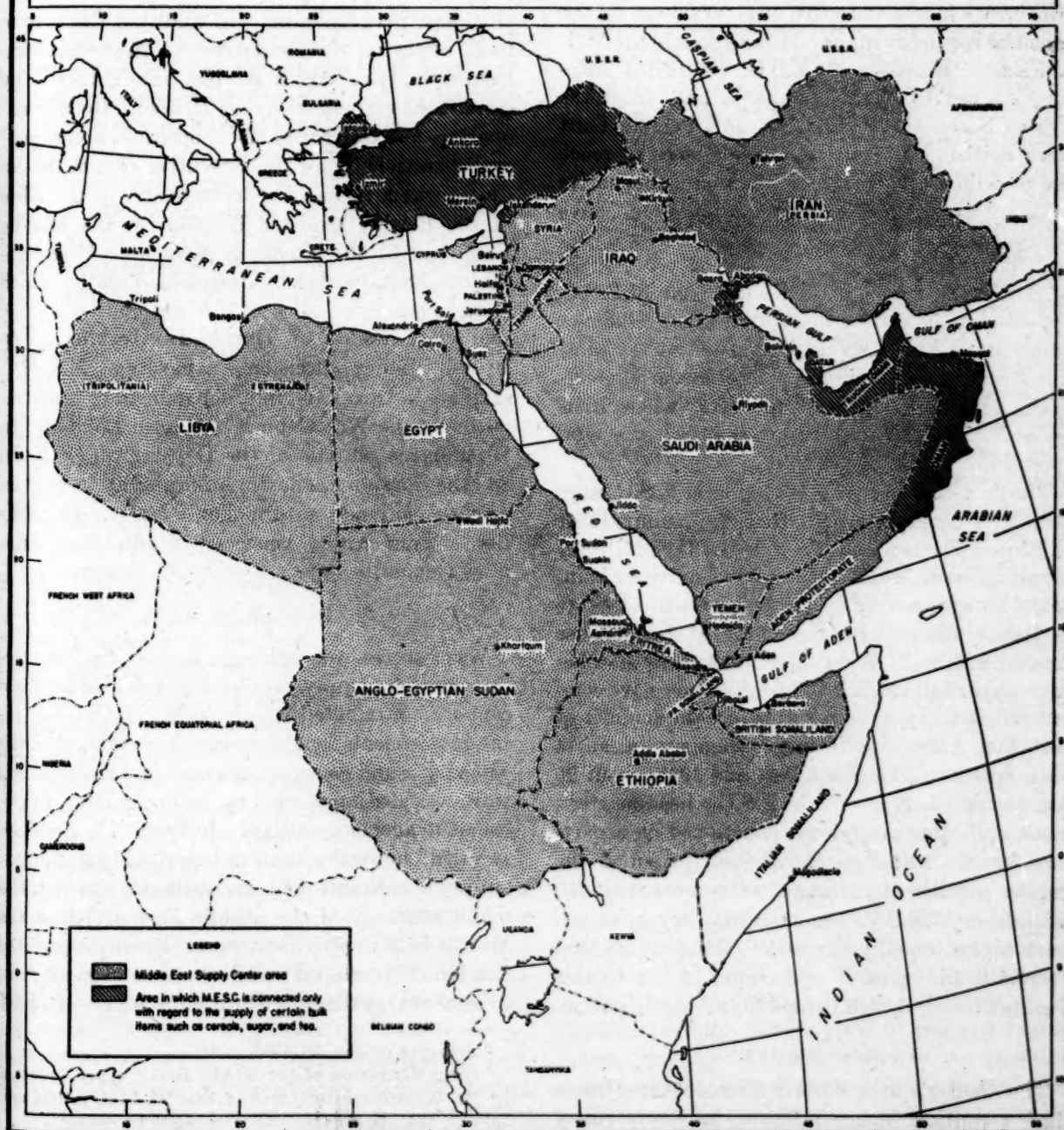
The aim of the new body was to insure supply of the essential wartime civilian requirements of the Middle East countries, with a minimum drainage on shipping services and foreign supplies. Its methods were to encourage local production and to insure that imports were limited to essentials. Although set up as an advisory body, M.E.S.C. was able to exercise extensive authority, since its parent organization—the Ministry of War Transport—controlled shipping to the Red Sea and Persian Gulf. With this authority, the Center instituted a rigorous system of examining applications for all proposed imports and making "recommendations" via the local governments to Middle East importers as to which of their overseas orders would receive shipping space. M.E.S.C. also assumed such positive functions as facilitating the procurement of essential goods, disseminating technical advice, and improving distribution. It did not buy, sell, or hold goods; such transactions were carried out for the most part by private traders or, when circumstances necessitated, through Government organizations, notably the United Kingdom Commercial Corporation.

MIDDLE EAST SUPPLY CENTER AREA OF OPERATIONS

FOREIGN ECONOMIC ADMINISTRATION

BUREAU OF AREAS

0 100 200 300 400 500
MILES



In the spring of 1942, one year after the formation of M.E.S.C., the United States was invited to participate in the Center's operations.¹ Several factors contributed to the relatively quick acceptance by the United States Government. The United States was beginning to receive far more civilian orders from the Middle East than ever before, and American Government agencies and private exporters were finding themselves increasingly dependent on the operations of Great Britain's newly organized Middle East Supply Center as the only available source of information on the essential requirements of civilian goods in the Middle East. Moreover, M.E.S.C. controlled shipping; 9 out of 11 companies sailing from the United States to the Red Sea and Persian Gulf were British. If American goods were to reach the Middle East, therefore, the main alternative to direct United States participation would have been the creation of machinery for centralized control independent of and duplicating the British M.E.S.C. Nor was it overlooked that M.E.S.C. appeared to be conserving shipping, at whatever handicap to American exporters, and at the same time insuring a minimum supply of essential goods to the inhabitants of the Middle East, where British and American troops were engaged in a vital operation.

The first Americans appointed to M.E.S.C. were General Russell Maxwell, former Administrator of Export Control and Chief of the U.S. Military Mission in the Middle East, and Frederick Winant, who was serving in the Department of State as liaison officer with the Office of Lend-Lease Administration.² In October 1942 these men became part of the M.E.S.C. five-man executive committee. It was not, however, before the summer of 1943 that Americans in larger numbers began to participate. Throughout 1944 and 1945, about 25 Americans worked in M.E.S.C. headquarters, while still other Americans functioned on a part-time basis. Although the British provided the greater number of personnel, with more than 150 officials in M.E.S.C. headquarters, key positions were almost equally divided. The fundamental functions and general operations of the Center were not changed with United States participation.

Administration

The Center's area of operations covered more than 4 million square miles—a larger territory

than the United States or Europe—with a population of approximately 70 million. The countries included were: Cyprus, Lebanon, Syria, Palestine, Trans-Jordan, Egypt, Libya (Cyrenaica and Tripolitania), Iraq, Iran, Anglo-Egyptian Sudan, Ethiopia, Eritrea, British Somaliland, French Somaliland, Aden, Saudi Arabia, and Yemen.

M.E.S.C. headquarters in Cairo were set up on a functional basis and included offices for food, agriculture, material supplies, industry, medical matters, transport, interterritorial trade, information, and programming. In addition there were local offices or representatives in the territories, headed in Iran, Saudi Arabia, and Ethiopia by Americans and elsewhere by British. Both headquarters and territorial offices operated under general directions from the Executive Committee in Cairo, which included representatives of the office of the British Minister Resident in the Middle East, and of the American Economic Mission—Middle East, headed by James M. Landis, which later became the office of the regional economic counselor, headed by Harold B. Hoskins. Top British policy decisions regarding M.E.S.C. emanated from an interdepartmental subcommittee of the War Cabinet sitting in London. In Washington officials of the Department of State and the Foreign Economic Administration worked in close conjunction on policy matters. In addition a joint Anglo-American Middle East Supplies Committee was set up in Washington.

Accomplishments

What success was achieved in meeting the wartime civilian-supply problems of the Middle East cannot be attributed wholly to M.E.S.C. The local governments lent their cooperation as did the diplomatic and consular missions, and the Center's work was also augmented by the operations of government agencies and private firms. It must be recalled, however, that military, shipping, and supply conditions had seriously threatened the whole economy of the Middle East and that the Middle East Supply Center was the only organization which developed and directed an over-all plan to combat that threat. During the four and a half

¹ BULLETIN of Jan. 18, 1943, p. 76.

² For a discussion of the Middle East Supply Program by Mr. Winant see BULLETIN of Feb. 28, 1944, p. 199, and Jan. 21, 1945, p. 80.

years in which M.E.S.C. functioned it achieved significant accomplishments in import control, agricultural production, industrial production, and territorial relations.

Import Control. Before the war the Middle East imported more than 5 million tons of civilian supplies annually; after 1941 imports dropped to less than 1½ million tons annually. An outstanding saving was made in the case of coal, the pre-war annual imports of which averaged 840 thousand tons. By the conversion of railway locomotives and other coal consumers to the use of oil, which is locally available, the annual import was reduced to less than 500 thousand tons. Large savings in shipping space were also made by the absolute refusal of M.E.S.C. to approve import licenses for luxuries and non-essential items.

On the positive side, M.E.S.C. made possible the importation of scarce supplies which individual importers or local governments would have found extremely difficult to procure in the face of world-wide shortage. It assisted, for example, in building up a pool of anti-malarials and vaccines which helped prevent the threatened epidemics in some regions. In the six months after the 1941 crop failures, it made possible unprecedented imports of cereals for civilian consumption, amounting to 600 thousand tons; a part of this requirement was filled in one instance by the diversion in mid-Atlantic of cargoes originally destined for the United Kingdom.

Agricultural Production. A number of adjustments were made for meeting conditions of food supply imposed by the war, such as high prices, lack of fertilizers, and lack of transport. Outstanding among these adaptations was the cultivation of cereals on over 2 million acres not previously planted with foodstuffs. In Egypt a 60-percent reduction of the cotton acreage permitted a possible planting of an additional 1 million acres of grains. In Syria another million acres of land, so sparsely populated that it had previously not been sown, was cultivated by working lend-lease tractors day and night. In Libya 20 thousand acres were also cultivated for the first time. Grain production was expanded in Iraq as well as in Lebanon, where a new irrigation system was constructed.

As a regular function, and particularly at various agricultural conferences which it sponsored, M.E.S.C. provided technical advice and infor-

mation to representatives of all countries of the Middle East through lectures, demonstrations, and documentary films sent out from England and the United States. Although it is not possible to measure the specific results of the dissemination of technical knowledge by M.E.S.C., a very small proportion of local inhabitants are normally trained in scientific agricultural methods, and it therefore seems likely that the program exerted on the agricultural development of the area an influence which may have long-range significance.

Of greater immediate importance than the increase in acreage and the spread of technical knowledge was the anti-locust campaign in the Middle East. Locusts, that invade the Middle East with particular force about every 12 years, can ravish millions of acres. They were due in 1943-44-45. M.E.S.C.'s anti-locust unit, in co-operation with local and Allied armies and air forces, sponsored anti-locust activities in accordance with an international campaign directed by the Locust Council in London. The expedition to Saudi Arabia, for instance, included a thousand men who sought out locust breeding-grounds which were later sprayed from airplanes with specially developed poisoned bait. There were also expeditions to Iran, Ethiopia, Anglo-Egyptian Sudan, and Eritrea. One of the heaviest locust invasions in living memory was thus controlled, though not completely defeated, throughout this critical period.

Industrial Production. The Middle East increased its industrial production during the war enough to permit a significant reduction in the quantity of goods that would otherwise have had to be imported for military and civilian use. The principal expansion was in Egypt, Palestine, and Lebanon.

With some success M.E.S.C. aimed to stimulate local production of widely demanded essential items that were in short supply overseas, for example, shoes, hand tools, and cotton thread; of bulky items requiring a large amount of shipping space, such as cement; and of commodities inherently dangerous to ship, such as certain industrial acids. The Center also supported military industries, particularly land-mine manufacture, and encouraged the development of raw materials for local industry. During the war the production of tungsten, tin, and chrome (for use in soap production) and the mining of chrome ore (to make

bichromates and chromic acid for use in dyeing textiles and tanning leather) were developed in Egypt. Sulphur and coal mining were further expanded in Iran, and lignite was mined in Lebanon as a substitute for coal.

A number of chemical plants were enlarged, and several new ones were started. In Palestine a plant was established to produce large quantities of much-needed superphosphate fertilizers from rock in Trans-Jordan and waste sulphuric acid which was recovered from the petroleum refinery at Haifa. Production of refined oil for food purposes was increased from 80 thousand to 120 thousand tons a year, and of industrial oils from 50 thousand tons to 80 thousand tons. These increases covered requirements previously met by imports. The figures on production of paint, glycerine, alcohol, caustic soda, and many other essential chemicals are equally impressive. In several other fields M.E.S.C. promoted local production by refusing import approvals for products when substitutes were available, by facilitating the procurement of spare machine parts, and by providing technical advice.

Although the Center supported certain industries which seemed likely to become uneconomic after the war, it aimed to prevent the establishment of such industries when there were no vital wartime reasons for supporting them. There seems little doubt that a number of the industries stimulated by M.E.S.C. are economically sound and that they will continue after the war.

Territorial Relations. The Center undertook from the beginning to restrict the import of commodities whenever they could be obtained anywhere within the M.E.S.C. area. This policy not only conserved Allied shipping and supplies but also demonstrated the potentialities of interterritorial trade to the countries of the Middle East. As a result of the M.E.S.C. program and particularly as a result of operations by the United Kingdom Commercial Corporation, interterritorial trade increased considerably in the Middle East. Egypt's percentage of imports from other Middle East countries increased from just under 5 percent before the war to more than 30 percent in 1943; Palestine's rose from just over 17 percent to more than 53 percent in the same period and Syria's from almost 13 percent to 32 percent.

Interterritorial cooperation was developed further by the collection and exchange of information

on common problems. Conferences for representatives of all Middle East countries were conducted on transport, rationing, statistics, finance, anti-inflation, soil conservation, and cereal collection. Among the specific results of these conferences were the establishment of a Middle East Agricultural Council and the creation of standing interterritorial local committees on finance and statistics.

Machinery for Transition

Although some of its operations were of long-range significance, M.E.S.C. was never more than a war agency. Its restrictive functions were not "popular" any more than were those of wartime controlling bodies in other parts of the world. More than this, M.E.S.C.'s controlling functions were hardly consistent with the American Government's peacetime commercial policy, which aims at the expansion of international trade through private channels free of restrictive barriers. Thus, there was never any intention that M.E.S.C. would not abandon its control functions when the war-compelled need no longer existed. The main question was the time and extent of relaxation.

On January 1, 1945, a de-control plan went into effect under which the Center terminated all its activities regarding the majority of the 2,000 items which it had so strictly controlled since the spring of 1941.¹ Authority was maintained, however, over the still-considerable number of commodities which remained in tight supply—a number that included commodities of basic importance to the economies of the Middle East countries.

On September 26, six weeks after the end of the war with Japan, a joint statement by the American and British Governments announced that the Center would be dissolved on November 1.² Special arrangements regarding items still remaining in world-wide shortage were, however, to be made to cover the period of adaptation to post-war conditions.

On October 30 the special arrangements were announced.³ These arrangements will be implemented by the office of the American regional economic counselor, headed by John P. Dawson, which will be temporarily continued for the purpose of assisting Middle East countries to procure

¹ BULLETIN of Dec. 31, 1944, p. 846.

² BULLETIN of Sept. 30, 1945, p. 493.

³ BULLETIN of Nov. 4, 1945, p. 727.

items in short supply which they need from the United States, and by the British Supply Mission (Middle East), which has been established to assist the Middle East countries in obtaining certain scarce commodities which they need from the British Empire and British-controlled sources.

The office of the regional economic counselor will communicate with the local governments through the American diplomatic and consular missions in the area. Its operations will take into account the fact that the only limits imposed by United States regulations on the export of commodities from the United States, now that the shipping situation has been relieved, will be those necessitated by supply shortages. Only a relatively small group of commodities still requires some export restriction and programming in order to insure a fair distribution throughout the world, including the liberated areas. Such a group is made up primarily of foodstuffs but also includes leather and some leather manufactures, rubber and a few rubber products (including tires), a limited list of drugs and chemicals, cotton textiles and yarn, lumber and sawmill products, newsprint, a few petroleum products, a selected list of iron and steel manufactures, lead and tin, trucks and passenger cars, and fertilizers.

Where allocations are necessary they will be established and administered in Washington. No grading or reviewing of individual import licenses will be undertaken by American authorities either in Washington or in the Middle East. The regional economic counselor's office will seek to facilitate the procurement of the commodities rather than to exert broad control.

The British Supply Mission (Middle East) will presumably have slightly more extensive functions than the office of the regional economic counselor and a larger staff. To a considerable extent this is because the majority of those items which remain now subject to control for reasons of world-wide shortage are normally obtained by the Middle East countries from British Empire sources. Sugar, tea, and fats and oils are notable examples.

According to the British press release which was discussed in advance with American officials, the primary duty of the new supply mission will be to insure that Middle East countries secure an equitable share of certain commodities from supply sources under British control or from areas where the British Government can in any way facilitate

supply. Sugar and cereals, so far as British arrangements are concerned, will be supplied through centralized governmental procurement channels. As to the other commodities on the "short list", the Mission, in consultation with the Middle East governments and the supplying areas, will do everything possible to assist private traders.

The joint British-American statement of September 26 made it clear that the special arrangements were for the transition period and that the two Governments desire to assist the Middle East governments to return to private trading channels as rapidly as possible. The office of the regional economic counselor and the British Supply Mission have agreed to work in close conjunction on matters of mutual concern. In so doing they will be continuing the spirit of an Anglo-American venture which would seem to have accomplished successfully a pressing and complex wartime task. The Middle East countries, meanwhile, embark on the post-war development of their economies, free of the restrictive controls exercised by the Middle East Supply Center and strengthened by such long-range benefits as may result from the Center's activities in disseminating technical information, sponsoring the development of agriculture, industry, and transport, and setting an example of cooperative effort to meet disrupted trade and economic problems.

Telecommunications

Luxembourg

The Bureau of International Telecommunications at Bern has informed the Department of State by notification 483 dated at Bern July 13, 1945 that in a note received July 6, 1945 the Government of Luxembourg stated that by a decree of the Grand Duchy dated June 13, 1945 that Government had approved the telegraph and telephone regulations signed at Cairo April 4, 1938, annexed to the International Telecommunications Convention concluded at Madrid in 1932. The June 13 decree also authorizes the Government of Luxembourg to adhere to the general radio regulations, the final protocol to the general radio regulations, and the additional radio regulations signed at Cairo April 8, 1938 and annexed to the 1932 Madrid convention.

The International Court of Justice and the Codification of International Law

Address by GREEN H. HACKWORTH¹

[Released to the press December 19]

At a time when the world is trying to readjust itself in the aftermath of devastation and dislocation of the second World War and is endeavoring desperately to make certain that a third and more terrible world war does not come to pass, it is appropriate to consider in a general way the international judicial process. For that process will have a substantial part to play in the effort to secure for mankind the blessings of peace.

Any judicial system presupposes three basic requirements: (1) the existence of a court, (2) the bringing of justiciable disputes before the court, and (3) a body of law which the court can apply.

I

A basis has been laid for a new world court. The American Bar Association, the Section of that Association on International and Comparative Law, state and local bar associations of this country, and the bar associations in Canada have played an important role in the accomplishment of this task. As you know, members of the bar and bench here and in Canada devoted hour upon hour of their time in meetings and otherwise to the study and the making of recommendations with respect to the pattern of the future international court. I think that it is fitting to mention especially Mr. Simmons, the distinguished president of the American Bar Association and a consultant to the Delegation of the United States at the San Francisco conference; Mr. Carroll and Mr. Gregory, associate consultants; and Judge Ransom, chairman of the Association's Committee on Proposals for the Organization of the Nations for Peace, Justice and Law, and adviser at San Francisco to Judge Manley O. Hudson, representative of the Permanent Court of International Justice at San Francisco. All of these men gave unspar-

ingly of their time and energy, first, in acquainting their fellow lawyers and the people at large with the need for, and the purposes to be served by, an international court and, second, in consulting with and advising the American Delegation at the San Francisco conference and, in the case of Judge Hudson, in contributing to the work of Commission IV at the Conference.

The new Statute for the Court of International Justice is an accomplished fact. It follows closely the Statute of the Permanent Court of International Justice established some 25 years ago but contains certain improvements suggested by experience, notable among which are (1) that relating to the election of the judges and (2) that concerning amendment of the Statute. Under the earlier Statute the terms of all judges expired at the end of each 9 years, making necessary the periodic election of a completely new bench. The new Statute, which likewise provides a 9-year period for the judges, stipulates that, of the 15 judges chosen at the first election, 5 shall hold office for 3 years and 5 for 6 years. Their successors will, of course, be chosen for full 9-year terms. By this process there will be on the Court at all times a two-thirds membership of experienced judges familiar with pending cases. In addition, the new Statute contains a provision for amendment, thus filling an hiatus that existed with respect to the old Statute. The procedure is the same as is provided by the Charter for its amendment.

It was thought proper for various reasons to create a new Court instead of continuing the old one. Chief among these reasons was the fact that, since the Permanent Court of International Justice was a creature of the League of Nations, and since there was being created a new international organization to replace the League, a new Court would be more consonant with this fresh start. There was also taken into account the fact that 17 nations—including enemy powers—parties to the Protocol of Signature of the Statute of the Permanent Court of International Justice were

¹ Made before the Junior Bar Conference in Cincinnati, Ohio, on Dec. 19, 1945. Mr. Hackworth is Legal Adviser to the Department of State. For article by Mr. Hackworth on the International Court of Justice, see BULLETIN of Aug. 12, 1945, p. 216.

not represented at San Francisco and consequently continuation of the existing Court as an organ of the United Nations would have given rise to problems of a political character which it was desired to avoid. But a very great measure of continuity of the structure and traditions of the Permanent Court of International Justice has been preserved.

National nominating groups in the various countries members of the United Nations are now making nominations for the election of judges. Authority is conferred upon these groups instead of their governments in order to remove the nominations as far as possible from the realm of political considerations. Soon the elections will be made by the General Assembly and the Security Council of the United Nations, and the Court will be inaugurated. It will then be ready to do its part as one of the principal organs of the United Nations, to help "bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace".

Now we know that the mere existence of a court does not of itself solve any problems; it must be used. If the International Court of Justice is to be of maximum usefulness the member states must come forward in good-will and submit to it all international disputes of a justiciable nature which cannot be resolved by the parties; and they should do this with promptness.

The jurisdiction of the Court is of two kinds: (1) it may decide cases, and (2) it may give advisory opinions. The General Assembly and the Security Council are specifically authorized by article 96 of the Charter to request advisory opinions on legal questions. The same article provides that other organs of the United Nations and specialized agencies, which may be so authorized by the General Assembly, may request advisory opinions on legal questions arising within the scope of their activities.

In the field of adjudications the jurisdiction of the Court comprises all cases that the parties refer to it. It does not have compulsory jurisdiction except as such jurisdiction has been or shall be recognized by the states under article 36 of the Statute. By the fifth paragraph of that article declarations made under article 36 of the Statute of the Permanent Court of International Justice and which are still in force are to be deemed, as between the parties to such declarations, as ac-

ceptances of the compulsory jurisdiction of the new International Court of Justice.³ This latter provision will give the Court compulsory jurisdiction at the outset as to some 20 states. The San Francisco conference unanimously approved a recommendation that all members of the Organization make as soon as possible declarations under article 36 of the new Statute recognizing the obligatory jurisdiction of the Court.

We now come to a consideration of the third major requisite of the international judicial system, as posited above, the body of law that the Court is to apply.

Article 38 of the Statute provides that the Court in deciding, in accordance with international law, such disputes as are submitted to it shall apply (a) international conventions, whether general or particular, establishing rules expressly recognized by the contesting states, (b) international custom, as evidence of a general practice accepted as law, (c) the general principles of law recognized by civilized nations, and (d) judicial decisions and the teachings of the most highly qualified publicists of the various nations, as subsidiary means for the determination of rules of law. Finally, the Court may decide cases *ex aequo et bono*, if the parties so agree. Some general observations on these points may be in order.

In applying a convention the Court will look to the instrument itself to determine what the parties have agreed upon and will undertake to interpret and apply it to the particular case. The convention may restate international law on a particular topic or it may lay down a special rule to be applied as between the parties. For example, if states agree by a convention that diplomatic officers should be entitled to certain privileges and immunities—as was done in the Habana convention of 1928—they are bound by the agreement. To the extent that such a convention is declaratory of international law, states, even though withdrawing from the convention, would, of course, still be bound to accord such privileges and immunities to diplomatic officers; but they would not be bound, after withdrawal, by provisions giving greater rights than those prescribed by international law.

On the other hand, when in the absence of a convention the Court undertakes to apply international custom as evidence of a general practice ac-

³For article by Lawrence Preuss on the International Court of Justice and the problem of compulsory jurisdiction, see BULLETIN of Sept. 30, 1945, p. 471.

cepted as law, it enters a more difficult field, a field where it is necessary to proceed with caution.

Decisions of courts and the teachings of "the most highly qualified publicists" of the various nations are referred to in the Statute as "subsidiary means for the determination of rules of law". The 1920 Statute of the Permanent Court of International Justice contains a like provision. Judge Hudson states in his recent (1943) book on *The Permanent Court of International Justice* that: "No treatise or doctrinal writing has been cited by the Court". He adds, however, that: "Individual judges have not been so restrained in their references to the teachings of publicists; they have not hesitated to cite living authors, and even the published works of members of the Court itself."

II

In considering the body of law to be applied by the Court one comes inevitably to the question of what methods exist for the clarification and development of international law. The question is especially timely at this moment in view of the provision in article 13 of the Charter of the United Nations that "The General Assembly shall initiate studies and make recommendations for the purpose of . . . encouraging the progressive development of international law and its codification".

Continuing development of the law to make it more clear and certain and to adapt it to changing conditions of life is necessary in any judicial system. The accomplishment of this task is contributed to in various ways, including legislation, judicial decisions, rulings of administrative agencies, growth of commercial practices, writings of experts, and group-study projects, official and unofficial. The process called "codification" embodies several of these activities and may draw upon all of them.

The codification of law involves three basic processes: (1) the grouping together of the rules dealing with a given subject of law in an orderly and logical manner; (2) an attempt to correct defects in those rules, that is, the filling of omissions, the elimination of archaisms, and, in general, the modification of the rules to take into account changes in conditions and policies; and (3) the enactment of the new set of rules into binding law by some agency having the power to do this act. It is true, however, that "codification" is sometimes used in a more limited sense to refer merely to the systematization of rules, or the systematization and modi-

fication of rules, without regard to the essential element of their being put into effect.

I am certain that most of us in this meeting have had some personal experience with the process of codification in either the domestic or the international field and that we appreciate the difficulties in the way of achieving a useful code as well as the advantages that result from such an achievement.

The sense in which we are here thinking of codification and some of the difficulties which inhere in the undertaking were aptly stated by Charles Evans Hughes, in an address as President of the American Society of International Law in 1925 in which, in speaking of the codification of public international law, he stated:

" . . . We are thinking both of the restatement of the existing law and of the process of international legislation; that is, of reinvigorating the old law by fresh declaration and of obtaining the formulation of principles and rules which will settle old juristic controversies and also meet the demands of new conditions. . . .

"We can be under no misapprehension as to the conditions in which this task is to be accomplished. The consent of nations must be had and this must be obtained from governments faced with political exigencies . . . the development of international law through codification cannot be had without the favorable action of foreign offices and national legislatures, and our problem is how to stimulate effective cooperative endeavor, how to assure both deliberation and purpose. And it must always be borne in mind by our lay friends, who are intent upon the immediate perfecting and declaring of international law, even in the most extreme applications which their paper programs demand, that it is agreement we are seeking on the part of states which according to our fundamental postulate we must recognize as independent and equal before the law; the general accord, if not absolute unanimity, which must characterize the recognition or assumption of international obligations." (*Proceedings*, Amer. Soc. of Int. Law, 1925, pp. 1, 6-7.)

In the past there has been a tendency to underestimate the difficulties of codification and to exaggerate the advantages that may result from it. There has been a rather general disregard of the fact that in some instances the most sincere efforts to codify international law may do more harm than good, although this possibility has been

touched upon by several scholars, including John Bassett Moore, Noel-Baker, and J. L. Brierly.

All the facets of the task of codifying international law are demonstrated in the history of the Hague Conference of 1930: the selection of a subject or subjects, the extent of the preparation in the international sphere and by national groups, the organization of the conference, the conflicts of interest between different participating states, the harmonizing of conflicting concepts in the international field carried over from differences in the several systems of domestic jurisprudence and varying political interests, and barriers of one kind or another.

The preparatory work for this Conference extended over a period of approximately 6 years. It was begun in September 1924 when the Assembly of the League of Nations requested the Council to create a committee on codification. The Committee of Experts for the Progressive Codification of International Law, created by the Council, selected 11 subjects for investigation, of which 7 were reported to the Council as "ripe for codification". The Council transmitted this report to the Assembly, which in 1927 decided to submit three subjects, namely, "Nationality", "Territorial Waters", and the "Responsibility of States for Damage Done in Their Territory to the Person or Property of Foreigners", to a first conference on codification. The Council created a Preparatory Committee for the Codification Conference and questionnaires on the three subjects were circulated among the governments. From the replies by 30 governments to the points stated in the questionnaires, bases of discussion were prepared. These bases were submitted to the Conference assembled in March 1930 at The Hague as a starting point for its deliberations. In addition to the painstaking preparation there was on hand at the Conference an excellent staff of more than 80 people from the secretariat of the League, well trained in the mechanics of international conferences. The three subjects were submitted to three separate committees, which in turn had their subcommittees and drafting committees, so that in effect three conferences were going on simultaneously.

Meanwhile, the Harvard Research in International Law, functioning under the auspices of the Harvard Law School and composed of people from various parts of the country interested in international law, had prepared draft conventions on

these same three subjects with copious comment. These were made available to the Conference at The Hague.

Despite the groundwork thus laid through these preparatory efforts, and the facilities that were available, the Conference was attended with but little success. Its fruits consisted of a Convention on Certain Questions Relating to the Conflict of Nationality Laws and three protocols relating to the subject of nationality. It is generally admitted that nationality is not governed by international law but rather by municipal law; hence, there was little more than a scratching of the surface in the international-law field.

It is not difficult to understand why it was not possible to come to an agreement on the subject of Responsibility of States. There is perhaps no subject of international law so constantly and so actively before the nations, nor one which so vitally affects them and their nationals. It is the underlying principle upon which every international claim is advanced and decided. It was no small undertaking, therefore, for the representatives of some 40 states to endeavor to secure, in the short period of a month during which the Conference sat, substantial agreement in a field of law so basic and so difficult. On subjects such as denial of justice, the question as to whether foreigners are entitled, as one delegate put it, "to a special status under international law" or are entitled to no better treatment than that accorded to nationals of the country, the extent to which states are liable for acts of their agents, the question of due diligence in preventing or punishing acts of private individuals, et cetera, it was early apparent that there was wide divergence of view. The so-called "majority" group of delegates favored a broader degree of responsibility than did the minority group. But the minority group was sufficiently strong to prevent agreement. Although a convention embodying a partial list of 10 articles, which were supported by a majority—and some of them by a much larger number of delegates—was drawn up, it soon became evident that the convention would not command the required two-thirds vote.

International law with respect to Territorial Waters was not well settled. The views of the various states differed as to the extent of the marginal-sea belt, the extent and nature of jurisdiction over an additional area of contiguous waters, and other questions. In addition there was, on the one hand, no pressing need for fixing the rules with

respect to these matters at that time; and there was, on the other hand, reason to believe that the full significance of contiguous waters for nations bordering the sea was as yet unrealized. Under the circumstances the subject of Territorial Waters did not lend itself to codification in 1930.

But one should not be too greatly discouraged by the modest results of the 1930 Hague Conference. I believe that we have learned some valuable lessons from that Conference that will make likely a greater degree of success in future undertakings of the sort.

Other efforts, official and unofficial, with varying degrees of success, have been made over a long period of years. Although the steps have been referred to repeatedly and in some detail, perhaps a brief reference to some of them may be useful at this time.

During the first two years of our Civil War conflicting decisions and rulings on questions of the laws of warfare were of common occurrence in different armies and at times in the same theater of operations. The Secretary of War, seeing the need for remedying the situation, called upon Dr. Francis Lieber, an eminent jurist, to prepare a code of instructions for the government of armies of the United States in the field. Such a code was prepared by Dr. Lieber, and, as revised by a Board of Army Officers and approved by President Lincoln, was published in 1863 by the War Department as General Orders, No. 100. It covered such subjects as martial law, military necessity, retaliation, public and private property of the enemy, wanton violence, deserters, prisoners of war, hostages, booty, spies, exchange of prisoners, flags of truce, armistice, capitulation, et cetera.

This code attracted wide-spread interest in Europe and was greatly relied upon by the Committee on Codification at the Conference held at Brussels in 1874 to consider the general question of the conduct of war. While the Declaration of Brussels was never ratified, it formed the basis of the regulations annexed to the Convention on Laws and Customs of War on Land concluded at the first Hague Peace Conference in 1899 and revised at the second Hague Conference in 1907.

There was also signed at The Hague in 1899 a Convention for the Pacific Settlement of International Disputes, which comprised a code on good offices, mediation, and arbitration. This Convention, also revised at the second Hague Peace Conference in 1907, contained provision for a

Permanent Court of Arbitration and marked an advanced step in the settlement of international disputes by peaceful means.

Other conventions and declarations were signed at The Hague in 1899 and 1907, as, for example, those relative to the Opening of Hostilities, the Status of Enemy Merchant-Ships at the Outbreak of Hostilities, the Conversion of Merchant-Ships into War-Ships, the Laying of Automatic Submarine Contact Mines, the Bombardment by Naval Forces in Time of War, the Adaptation to Naval War of the Principles of the Geneva Convention of 1906, the Right of Capture in Naval War, the Rights and Duties of Neutral Powers and Persons in War on Land, the Rights and Duties of Neutral Powers in Naval War, and the Establishment of an International Prize Court.

The administration of prize law has been largely confined to the domestic field, that is to say, prizes captured in time of war are brought before and passed upon by national courts sitting as prize courts. These courts are supposed to administer international law but are frequently hedged about by domestic enactments and regulations. Their decisions have lacked uniformity and have not always reflected the same line of judicial approach, nor have they always reflected the same degree of recognition and respect for international law regarding capture and condemnation of prizes. The captor is, in effect, both judge and party in interest. This frequently gives rise to contentious diplomatic exchanges when neutral property is concerned. It was with a view to remedying this situation that the last-mentioned Convention was prepared at The Hague. It had for its purpose the "Establishment of an International Prize Court" with authority to act as a court of appeal. Although the Convention was signed by the United States Delegation, this Government later objected to allowing such a court to review decisions of our national courts. It was willing, however, to have the international court try such cases *de novo*, awarding compensation in appropriate cases, and a formula to this effect was agreed upon at the London conference in 1909.

Article 7 of the International Prize Court Convention, just referred to, provided that in the absence of a treaty between the parties on the subject, the Court should be governed by international law, and that "If no generally recognized rule exists, the Court shall give judgment in accordance with the general principles of justice and equity". In

February 1908 the British Government—which had proposed the article at The Hague—invited the powers to meet in London for the purpose of reaching an agreement on the generally recognized principles of international law in the sense of article 7.

There emerged from the Conference, held in the latter part of 1908 and the early part of 1909, a declaration concerning the laws of naval war, known as the Declaration of London. It dealt with such questions as Blockade, Contraband, Unneutral Service, Destruction of Neutral Prizes, Transfer of Vessels to Neutral Flags, Enemy Character, Convoy, and Resistance to Search. The Declaration did not reflect *in toto* the views of all or any of the nations participating in the Conference. In many respects it represented compromises on varying points, but by and large it was a commendable effort to codify the law in this important field. The Senate of the United States gave its advice and consent to ratification, but the Declaration was never ratified by any state. Efforts were made during the first World War to apply its provisions by common understanding but with little success.

The American republics have been very active in the endeavor to codify international law. For example, at the Sixth International Conference of American States held at Habana in 1928, an effort was made to codify a number of subjects. Preliminary work had been done by a Commission of Jurists meeting in Rio de Janeiro, which presented 12 draft projects. The Conference agreed upon drafts relating to the Status of Aliens, Asylum, the Rights and Duties of States in the Event of Civil Strife, Commercial Aviation, Consular Agents, Diplomatic Officers, Copyright, Maritime Neutrality, Private International Law, and Treaties.

A highly encouraging factor in the development of international law, and particularly in its codification, has been the work done on a voluntary basis by individuals and private organizations. Today's meeting is a token of the interest displayed in this subject by the American practicing lawyer. The Institute of International Law, the International Law Association, the American Society of International Law, the Carnegie Endowment for International Peace, the Harvard Research Group, as well as the Section on International and Comparative Law—and there are others—are private associations that have made a significant contribution to the codification of international law.

The various efforts that have been made looking to the statement of international law in conventional form constitute a beginning. Conventions heretofore agreed upon will need to be reexamined and subjects not heretofore covered will need to be considered. It must be remembered, however, that codification in this field is by no means simple. International law develops slowly. States do not change overnight from methods and principles to which they have become accustomed. They, no less than individuals, are apt to be skeptical of new rules, the necessity for which may not be readily apparent. It is necessary in considering codification to keep ever in mind the realistic and practical approach. A program that is too ambitious in its inception may prove disappointing. On the other hand, a carefully planned program which would have for its purpose progressive codification on well-chosen subjects would present prospects of success.

The decisions of the International Court of Justice should go a long way toward an authoritative statement of rules of international law involved in cases decided by it. In advocating adherence by the United States to the Protocol of Signature of the Statute of the Permanent Court of International Justice, Secretary of State Stimson, in a letter to President Hoover dated November 18, 1929, recognized the importance of the role which the Court must play in the development and implementation of international law. He stated:

" . . . it is . . . to the judicial action of a World Court, passing upon the individual controversies which arise between nations, that we must look not only for the application and interpretation of these compacts and codes but for the flexible and intelligent development in this way of all the subsidiary principles and detailed rules which will surely be found necessary in such application.

"No people are more familiar with this need than the American people, or have greater reason for confidence in this judicial method of developing the law of conduct between separate states. They have seen their own Supreme Court wisely and flexibly work out the myriad difficult and changing problems which in the course of one hundred and forty years have grown out of the compact in which thirteen sovereign states in 1787 agreed to settle their relations by pacific means. . . .

" . . . The standards set up by international

conferences will hardly be able safely to go beyond the statement of broad general principles; the development of details will necessarily grow out of the application of such principles by the Court. Here again to the American brought up under the common law, patiently and intelligently evolved by six hundred years of judicial decisions, this will be familiar as the method by which a system of law can be most safely, flexibly and intelligently produced." (1929 For. Rel. vol. I, pp. 39-40.)

Every judge, whatever the court, is faced with the problem of applying the law understandingly. Judges interpret the law, written or unwritten, as new situations arise. Whether they will it or not, they mold the law. The international field is no exception.

Nor will codes of international law on all the major phases solve the difficulty entirely. There will still be gaps in the law. Agreements cannot pos-

sibly embody provisions with the minutiae which one might desire. There will yet arise the great multitude of new situations to be passed upon which were not envisioned in the codes. Wisdom in the interpretation and application of any law is always needed. Practice and custom, agreements and writings, have not covered all aspects of the law of nations with an equal degree of certainty. We must anticipate a growing and ever-developing international law. The nations have an opportunity to frame codes which can be wisely developed to fit the needs as they unfold. It must not be thought that a code may be written which will fill all needs for all time to come. Nor can it be expected that a comprehensive code can readily be prepared which will be acceptable to all nations as their guiding star. A good beginning has been made despite the difficulties. We should not be deterred from carrying the work forward.

NATIONAL INTELLIGENCE PROGRAM—Continued from page 993.

time operations of the cloak-and-dagger boys; for the most part it will be much less romantic. But it will be none the less difficult, and it will be important because it will furnish the basis not only for our outgoing information program, but also for making decisions on our foreign policy. Colonel McCormack, you don't favor putting all Government intelligence into one big agency. Instead, you advocate a national intelligence authority which will harness the vast intelligence resources of this Government in a cooperative program—a program designed to assist this Nation as a leader in world affairs.

MCCORMACK: That's right, Mr. Fisher. We don't want a new agency; we want to improve the work of existing agencies, and see that the intelligence they get is accurate, timely, and relevant.

BENTON: And is made available to the general public as well as the Government, in order to improve understanding among nations. This will help to bring the conscience and the common sense of the average citizen into the making of our foreign policy.

MCCORMACK: Mr. Fisher, you know the old saw about the three kinds of intelligence—human, military, and divine. Well, we can't expect to approach the divine level, but we can harness human and military intelligence for the high purposes of national security and international peace.

FISHER: Well, thank you, Colonel, and thank

you, Mr. Secretary, for bringing us this interesting forecast of our post-war intelligence service.

ANNOUNCER: That was Sterling Fisher of NBC's University of the Air. He has been interviewing Assistant Secretary of State William Benton and Colonel Alfred McCormack, Special Assistant to the Secretary of State in charge of research and intelligence, on the question of a unified intelligence service. The discussion was adapted for radio by Selden Menefee.

Next week we shall present the third of this new group of State Department broadcasts. Assistant Secretary of State Donald Russell, who is responsible for administration in the Department, and Mr. Selden Chapin, Director of the Office of the Foreign Service, will discuss the post-war plans of the United States Foreign Service.

This has been the forty-fifth in a series entitled "Our Foreign Policy", presented as a public service by the NBC University of the Air and broadcast to our service men and women, wherever they are stationed, through the facilities of the Armed Forces Radio Service. You can obtain printed copies of these broadcasts at 10 cents each in coin. If you would like to receive copies of 13 consecutive reprints, send \$1 to cover the cost of printing and mailing. Address your orders to the NBC University of the Air, Radio City, New York 20, N. Y. NBC also invites your questions and comments.

Peace, Freedom, and Law Are Inseparable

Address by ASSISTANT SECRETARY BRADEN¹

[Released to the press December 18]

What, specifically, are the causes underlying the social instability of our times? Interpretations of history, purporting to explain these ills, are offered at every hand. I shall cite only four, the four that to my mind touch on some of the fundamental causes of our present plight.

There are those who regard the basic cause as the overthrow by the French Revolution—and by the movements that followed in its train—of the ancient monarchical system, with the consequent advent of governments which in the minds of many lacked that essential ingredient of authority—legitimacy. Others place the blame on the unequal distribution of wealth, the system of free enterprise, and on the scope given by our society to individual initiative because in their opinion these prejudice the well-being of the community. To others still, a growing disrespect for religious principles and ethical rules, honored aforetime, is the root of all our manifold troubles. Finally, there is the school of thought that attributes these troubles to the disparity between our rapid progress in science and technology, since the beginning of the so-called "Industrial Revolution", and our creeping progress in the development of new political principles and procedures to cope with our technological advances.

Let us grant that there are at least some elements of truth in each of these theories. No doubt the irruption upon history's scene of governmental systems which to many lacked legitimacy has contributed to our social restlessness. Where the authority of a government is not implicitly recognized by those whom it governs, the rules that it establishes and the orders that it issues will be obeyed, if at all, more from fear of the police than out of respect for legality. The tension thus created between the government, on one side, and the governed, on the other, ferments and tends to increase to the point where an explosion takes place.

¹ Delivered at Yale University on Dec. 18, 1945. Requests for complete text of this address should be made to the Division of Research and Publication, Department of State, Washington 25, D. C.

To cope with its own weakness, the government is constantly tempted to resort to a ruthless exercise of that unlimited sovereign authority which a great body of world opinion still accords it. In the domestic sphere, it does this by eliminating or paralyzing the opposition. Further to bolster its position at home, it seeks to quarrel with its neighbors abroad and resorts finally to aggression in the hope of quickly and cheaply achieving military victories. Our recent experience in these particulars has been too vivid for us not to recognize it again, even while it is still only a threat. Unfortunately, these military adventures are greatly stimulated by the magnetic attraction that warfare has for those who have been educated—often deliberately educated—to look upon it as the most heroic and esteemed of human activities.

The second thesis to which I have referred, that economic inequality, especially the unrestricted growth and concentration of wealth, is incompatible with peace and order in international as in domestic affairs, has many advocates who regard it as absolute dogma. They maintain that it is virtually impossible for those who possess riches and those who, by contrast, have barely the most elementary resources to exist side by side in peace and harmony. It is at least open to question, however, whether economic inequality is, in itself and of itself, the cause of the disorders under which this world labors. The accumulation of wealth and the resulting concentration of power are not innately and inevitably harmful. Such accumulations and concentrations, where their employment is based on the principles of justice and humanity, may greatly benefit the entire community. It is the irresponsible use of wealth and exercise of power, where no limitations are imposed, that is harmful and that must therefore be condemned. If concentrations of power and wealth are to benefit not only their possessors but the community as a whole, they must be subject to the authority of law. Uncontrolled freedom and impunity granted to the powerful have caused more suffering than hunger or privation themselves.

Perhaps there is truth in the claim made by

exponents of the third thesis, that mankind has abandoned the principles of religion and the moral rules by which it was once guided. It is more accurate to say that, in all the times of which we have any historic record, men have never fully and consistently lived up to the former or obeyed the latter. With notable exceptions, they have always shown scant aptitude for practicing what they preached. I know of no more tragic or disheartening example than that with which Germany has now provided us. The influence of almost 20 centuries of Christian teaching was not able to resist a neo-pagan doctrine that, founded on a partial and arbitrary interpretation of biological laws, incited and even glorified the lowest predatory and sadistic instincts of the human race. Before the horrors of Belsen and Dachau and the monstrous crimes committed by the Nazi armies and police in the countries which had to endure them, it is hard to believe that the divine lesson of the Sermon on the Mount was ever revealed to mankind. It is not a question of resurrecting forgotten religious principles or abandoned ethical precepts. These principles and these precepts persist inherent in the human soul, today as yesterday. They are by their nature imperishable. What is needed is that mankind accommodate its practices to them, as it has never done before, not only in the relations between individuals but also in the relations of the individual to his government and in relations among governments themselves.

In respect of the fourth theory: It is indisputable that the backwardness of our political thinking, by contrast with the degree of our scientific and technological advancement, tends to create a situation of dangerous disequilibrium in the entire realm of human activities. Our scientific skill has now reached such an advanced stage that we are able to manipulate and subject to our will the very essence of physical matter. The transmutation of the elements, which only a few years ago was regarded as belonging to the domain of alchemy, is now within the province of applied science; our notions of matter and energy, of time and space, have been radically modified; the geographical concepts that governed our strategy only yesterday are obsolete today. We have reversed the saying of Goethe: *Schon ist alle Nähe fern* ("The near is already far away").

Yet, for all this, our political attitude and conduct continue to be governed by principles and concepts essentially indistinguishable from those

already existing in the most remote antiquity. Small wealth and insignificant power are subject to the impartial rule of established law and, under it, enjoy an orderly and peaceful existence. But the great concentrations of power too often escape the arm of the law; they may be employed irresponsibly with impunity! In a world where, through experimental science, man has won an extraordinary freedom from the tyranny of nature—having achieved dominion over space and over the sources of natural energy—he remains in many cases politically shackled, his freedom restricted to his own inner conscience. And even this domain is constantly besieged, often successfully, by the instruments of propaganda, operated scientifically, making use of every technological discovery, serving only the individual or the group that disposes of the sum total of sovereign power. In the field of science, human liberty knows no other limitations than those imposed by the laws of nature; in the political area, man's liberty may be subjected to the caprice of his lowest fellow.

In the pre-Galilean world, the universe revolved about a fixed earth, and the state revolved about the prince. After Galileo, the earth acquired the somewhat more modest though still respectable status of a wandering planet obeying the laws of a superior system. But the prince, apparently more stable than the earth itself, continued as the center of human society. It was not until two and a half centuries later that the American and French Revolutions succeeded in displacing the political center of gravity, removing it from the person of the sovereign to the nation itself. National sovereignty was substituted for personal sovereignty. The "inviolable" rights of the people replaced the divine right of the king. The rule of law succeeded to the monarch's omnipotence. The people, who had been the servants of government, became its masters.

New political theories, however, are slow of practical realization. With notable exceptions, inviolable popular sovereignty has persisted, and continues to persist, as an unrealized ideal, an aspiration, a distant goal of human endeavor. I need hardly dwell here on the degree to which this ideal was defeated in Germany and Italy, and is today being frustrated in the countries that smother under the several national varieties of international Fascism. Even in our day, the world is still confronted by the spectacle of governments which arrogate to themselves more irresponsible

power than did the prince of Galilean times. After all, the power of even Louis XIV, Henry VIII, and Charles V was limited by definite religious and moral restraints and by the unwritten law of deep-seated custom.

If the logic that governs scientific progress were also to be applied to the evolution of our political thought and processes—if, in short, political science stood on a level with natural science—such violations of accepted political principle and such latitude for irresponsible authority would cease to exist. Just as the very notion of a sovereign by divine right who exercised his rule without believing in God, the source of his authority, would have been absurd in days gone by, so it should be inconceivable to us that a government which does not believe in the sovereign authority of the people should still rule in the name of the people.

This brings us face to face with the most debated political question of the day: If a nation derives its sovereignty, internal and external, solely from the people of which it is composed, is a government that violates the popular will at home vested with popular sovereignty in its dealings abroad? And if, despite all logic, we grant that it is, may such a government exercise absolute sovereignty in the international community, or must it subject its sovereignty, on a basis of equality, to the common law of all nations? For our Christian civilization, in which only God is considered absolute, the concept of a government that arrogates to itself the properties that belong to God alone is wholly inadmissible—quite apart from the lesson taught us by the dreadful experiences through which we have just passed, that nothing so threatens the peace and the freedom of mankind as the exercise of absolute, unlimited, and consequently irresponsible power.

In his Fourth of July address in 1916, President Wilson said: "I will not help any man to buy a power which he ought not to exercise over his fellow beings". Is it possible, one may ask, for law-abiding men to stand indifferent before the seizure of such power? The answer to this question was made at the University of Buenos Aires on July 14, 1916 by the great Brazilian jurist, Ruy Barbosa:

"As between those who destroy the law and those who observe it, no neutrality is admissible. Neutrality does not mean impassivity—but, rather, impartiality; and there is no impartiality between the

law and injustice. When there are written standards that define them and differentiate between them, to fight for the observance of such standards is not to violate neutrality but to practice it. When violence arrogantly tramples the written law underfoot, to cross one's arms is to serve it. The tribunals, public opinion, conscience are not neutral as between crime and the law. In the face of armed insurrection against established law, neutrality cannot take the form of abstention, it cannot take the form of indifference, it cannot take the form of silence."

There is no better way to prevent a man from seizing unauthorized power than to set standards of law which regulate his conduct equally with that of his fellows. It is the same with governments. And if a man is not satisfied with the liberty that that law allows him, if he embarks on rebellion, then let the weight of the law with all its consequences fall upon him! Enforcement of the law by the international community is not intervention, any more than indifference to the law is neutrality.

Basic Libraries and Cultural Exchange

"Basic Libraries" of some 250 volumes covering all phases of American life have been sent during the past two years to educational institutions in 12 countries of the East, Middle East, and Africa as part of the Department of State's cultural-exchange program.

The libraries are sent to those institutions specifically requesting them, and so far have been received by 28 universities and colleges in India, Algeria, Egypt, Saudi Arabia, Morocco, Iran, Turkey, Palestine, Lebanon, Ethiopia, and Liberia. The exchange is on a reciprocal basis, and institutions receiving the books are urged to send works relating to their own countries to American libraries.

The "Basic Library", selected by educational experts both outside and within the State Department, includes works on American history, political economy, philosophy, education, agriculture, medicine, library science, technology, literature, art, music, and agricultural practice. The program has been handled by the Department's Division of Cultural Cooperation.

Progress in Establishment of the United Nations Organization

Address by **DURWARD V. SANDIFER**¹

[Released to the press December 17]

On June 26 of this year 50 nations signed the Charter of the United Nations, which provided for its own entry into force upon deposit of ratification by the Big Five plus half the other signatories. Poland subsequently became the fifty-first signatory, raising the total number of ratifications required to 29. On October 24 the Charter came into effect with the deposit of the twenty-ninth instrument of ratification. Since that time all but four states have deposited their instruments of ratification.

The United States Senate has not only given its advice and consent to the ratification of the Charter; it has passed the bill that insures full United States participation in the work of the United Nations Organization. Under this bill the President would be in a position to negotiate with the Security Council of the Organization an agreement governing the number and types of forces to be made available to the Security Council, at its call, for the maintenance of peace or the suppression of threats of aggression. Such agreement would, under the bill, require the approval of both houses of Congress. Furthermore, the bill authorizes the United States representative on the Security Council, acting on the instruction of the President, to vote for the employment of these forces without specific approval by Congress.

It is significant to note that the rate of progress in international organization has been one of continuous acceleration. In the evolution of the United Nations five principal landmarks have already been passed:

(1) the Four Nation Declaration at Moscow on October 30, 1943,² in which the United States, the

United Kingdom, the Soviet Union, and China publicly recognized the necessity of establishing a general international organization for the maintenance of international peace and security;

(2) the Dumbarton Oaks Proposals of October 7, 1944,³ in which the same four powers outlined the structure and powers of such a general international organization;

(3) the Yalta conference in February 1945,⁴ at which agreement was reached on a voting formula and on calling the San Francisco conference;

(4) the signing of the Charter of the United Nations at San Francisco on June 26, 1945,⁵ which gave the world the "grand design" of that organization; and

(5) the meeting of the Executive Committee and the Preparatory Commission in London in August and November of this year to prepare for the meeting and organization of the General Assembly and other organs of the United Nations.

Between Pearl Harbor and the Four Nation Declaration almost two years elapsed; between the Four Nation Declaration and the Dumbarton Oaks Proposals almost a full year; from the Proposals to the Charter nine months; from the signing of the Charter to the meeting of the Preparatory Commission less than six months. This time-progression in itself shows how the confidence of the nations in international organization has grown.

¹ Delivered before the American Bar Association in Cincinnati, Ohio, on Dec. 17, 1945. Mr. Sandifer is Chief of the Division of International Organization Affairs, Office of Special Political Affairs, Department of State. Requests for complete text of this address should be made to the Division of Research and Publication, Department of State, Washington 25, D. C.

² BULLETIN of Nov. 6, 1943, p. 308.

³ BULLETIN of Oct. 8, 1944, p. 368.

⁴ BULLETIN of Feb. 18, 1945, p. 213, and Mar. 11, 1945, p. 394.

⁵ BULLETIN of June 24, 1945, p. 1119.

While the process of ratification of the Charter was going on, further steps toward the establishment of the Organization were also in progress. On the same day that the representatives of 50 nations signed the Charter at San Francisco, they signed also the instrument known as the "Interim Arrangements Concluded by the Governments Represented at the United Nations Conference on International Organization". This document provided for the establishment of a Preparatory Commission of the United Nations "for the purpose of making provisional arrangements for the first sessions of the General Assembly, the Security Council, the Economic and Social Council, and the Trusteeship Council, for the establishment of the Secretariat, and for the convening of the International Court of Justice". The Commission was to consist of one representative of each state signatory to the Charter. It held its organization meeting in San Francisco on June 27 and is now meeting in London.

The Interim Arrangements also provided that the Preparatory Commission should be assisted by an Executive Committee composed of representatives of the 14 states that comprised the Executive Committee of the San Francisco conference, namely, Australia, Brazil, Canada, Chile, China, Czechoslovakia, France, Iran, Mexico, the Netherlands, the Soviet Union, the United Kingdom, the United States, and Yugoslavia. This Executive Committee commenced its meetings in London on August 16 and completed its report to the Preparatory Commission on October 27. To carry on its work the Executive Committee established 10 committees as follows: General Assembly, Security Council, Economic and Social Council, Trusteeship Council, Court and Legal Problems, Secretariat, Financial Arrangements, Transition From League, Specialized Agencies, General Questions—particularly location. These committees cast their reports, in so far as possible, in the form of recommendations for the consideration of the Executive Committee and submission by it to the full Preparatory Commission. The report of the Executive Committee which resulted contains draft agenda and draft rules of procedure for the first session of the various organs of the Organization together with appendices, some of which set out the main considerations which were taken into account by the Executive Committee in formulating its positive proposals.

The Executive Committee was unanimous in its view that the first session of the General Assembly should be divided into two parts, the first to be primarily organizational in character but prepared to refer urgent world problems to the appropriate organs of the Organization, and the second to be devoted chiefly to the consideration of substantive problems.

Under this arrangement, the General Assembly will meet and organize itself as quickly as possible and proceed to elect the non-permanent members of the Security Council and the members of the Economic and Social Council and to take some interim measures in the trusteeship field. The Secretary General of the United Nations cannot be named and enabled to appoint the Secretariat until both the Security Council and the General Assembly have acted. Likewise, the selection of the judges of the International Court of Justice requires concurrent election by the General Assembly and the Security Council. In other words, the General Assembly's role in the establishment of the United Nations is pivotal. None of the other principal organs of the Organization can meet and organize itself until the General Assembly has acted.

The recommendations of the Executive Committee, however, remain the recommendations of 14 of the United Nations acting as agents for all until they are adopted by the whole membership of the United Nations in the Preparatory Commission. Since the membership of the Preparatory Commission corresponds exactly to the membership of the General Assembly there is every reason to believe that a recommendation by the Preparatory Commission will be taken as a basis for action by the General Assembly.

The Preparatory Commission itself has been grappling with a number of important problems which must be resolved in order to assure speedy action by the General Assembly and the other organs scheduled to meet in January. It is not possible to give a detailed statement of these problems, but a review of important typical problems will give an idea of the tremendous task involved in getting such an organization under way.

The Legal Committee dealing with the Court and other legal problems has been the first to complete its work. It has approved the action of

the Executive Committee in directing the Executive Secretary to issue invitations to the national panels for nominations to the International Court of Justice and to take all other action necessary to the election of judges at the General Assembly in January. We have insisted that the election should take place in January in order to assure the Court being available to the member states at the earliest possible date.

The Committee has approved a declaration welcoming the taking by the League of appropriate steps to dissolve the Permanent Court of International Justice and recording the assent to the dissolution of those members of the Preparatory Commission who are members of the Court. A resolution for the dissolution of the Court, proposed by the Executive Committee to be moved in the General Assembly, was dropped.

A further resolution was approved by the Committee providing for steps necessary to the convening of the first session of the International Court of Justice, including making of necessary arrangements by the Secretary-General and calling attention of the General Assembly to the necessity of fixing the emoluments of judges early in its first meeting and to the desirability of these salaries being not less than those of the judges of the Permanent Court during the period 1936-39.

With regard to the important matter of the registration and publication of treaties and international agreements, the Legal Committee approved the Executive Committee's recommendation which (1) calls attention to the importance of taking all necessary measures to avoid any gap in the publication of these instruments between the termination of the League treaty series and the beginning of the treaty series of the United Nations, (2) directs the Executive Secretary to provide for receiving and filing such instruments on a provisional basis, and (3) invites the General Assembly to invite non-members to register treaties and international agreements with the United Nations.

One of the most difficult technical and legal questions with which the Commission has had to deal has been the transfer of certain functions, activities, and assets of the League. There was a difference of opinion in the Executive Committee over the so-called *en bloc* transfer of assets and of non-political functions and the selective procedure. The Committee adapted the former subject to the

right of the United Nations to determine what functions it should continue. The selective principle was rejected on the ground that it might result in a gap in certain functions and that it would result in too long a period of uncertainty. The League Committee of the Preparatory Commission appears to have retained the substance of the *en bloc* procedure while modifying its form. It endorses the draft resolution adopted by the Executive Committee relative to the assumption by the United Nations of functions of the League under international agreements. In the case of such functions of a political character, the General Assembly will itself examine, or refer to the competent organ, any request by the parties for the assumption of such functions by the United Nations. As to non-political functions and activities not covered by the foregoing resolution, the Committee would confer on the Economic and Social Council the duty of surveying them to determine which should, with necessary modifications, be assumed by organs of the United Nations or entrusted to specialized agencies brought into relationship with the United Nations. Pending the completion of the survey the Council would, on the dissolution of the League, assume and continue on a temporary basis the work done by the Economic, Financial, and Transit Departments, particularly the research and statistical work; the Health Section, particularly the epidemiological service; and the Opium Section. The Committee states that it would be desirable to retain for this work such experienced personnel by whom it has been performed as the Secretary-General may decide to select. A committee would be established by the Preparatory Commission to negotiate with the League Supervisory Commission for the transfer of League assets.

Certain aspects of the problem of the privileges and immunities of the Organization and of its officials, and of a possible agreement between the Organization and the host state, have been considered, but no definite conclusions have been reached. Both matters involve important legal and political questions.

A good deal of attention has been given both by the Executive Committee and the Preparatory Commission to the committee structure of the General Assembly. As to the permanent "technical" committees of the Assembly, where, to judge from the League experience, all the real work will be

done, agreement has been reached on the following committees: Political and Security, Economic and Financial, Social and Humanitarian, Trusteeship, Legal, and Administrative and Budgetary. After considerable discussion it was decided that regulation of armaments should be handled by the Political and Security Committee rather than by a separate committee. There was also considerable difference of opinion over the establishment of separate committees in the economic and social fields. The view prevailed that social problems would be too important and extensive to be handled by the same committee charged with economic and financial matters.

There would also be a Supervisory Committee for Administrative and Budgetary Questions in general analogous to the League Supervisory Commission. The Committee would have seven members, including at least two financial experts of recognized standing, selected on the basis of broad geographical representation, personal qualifications, and experience. It would be responsible for expert examination of the Budget of the United Nations and would assist the Administrative and Budgetary Committee on matters other than personnel.

The principal question debated on the Security Council has been the extent to which the Preparatory Commission should examine and make recommendations concerning the organization and responsibilities of the Security Council. The view has prevailed, with which we have agreed, that the Security Council should organize itself, and that therefore recommendations should be limited to the formulation of the agenda and of provisional rules of procedure.

One of the most important problems in the Economic and Social Council Committee has been that of the commissions and committees to be established. One view was that this should be left for determination by the Council itself. The procedure adopted is to recommend the establishment of specified commissions and committees on the ground that this is essential in order to expedite the Council's work on the tremendous economic and social problems left as a heritage of the war. The recommendation would be for the Council to establish a Commission on Human Rights, an Economic and Employment Commission, a Temporary Social Commission, a Statistical Commission, and possibly a Demographic Commission, a temporary

Transport and Communications Commission, and a Fiscal Commission.

The Human Rights Commission is the only commission the creation of which is made mandatory by name in the Charter. This is a testimony to the universal determination of the peoples of the members of the United Nations that such a flagrant disregard of the basic and inviolable rights of man as we have witnessed in recent years shall not happen again. Under the recommendations of the Executive Committee the work of the Commission would be directed toward the formulation of an international bill of rights, the formulation of recommendations for an international declaration or convention on such matters as civil liberties, status of women, and freedom of information, protection of minorities, prevention of discrimination on grounds of race, sex, language, or religion, and any matters within the field of human rights considered likely to impair the general welfare or friendly relations among nations.

The Executive Committee examined in detail the problems involved in bringing specialized agencies such as the Food and Agriculture Organization, the International Labor Organization, and the United Nations organization on education, science, and culture into relationship with the United Nations. As the Committee could not agree on recommendations, it agreed to the transmission of its report as "observations". The competent Committee of the Preparatory Commission has agreed to submit the report to the General Assembly "to serve as a guide to the Economic and Social Council in its negotiations with specialized agencies". A mere enumeration of the coverage of the report shows clearly the great importance and complex character of the task imposed upon the Economic and Social Council by articles 57 and 63 of bringing into relationship with the United Nations the various specialized agencies, having wide international responsibilities in economic, social, cultural, educational, health, and related fields. This would be accomplished through agreements negotiated by the Economic and Social Council with the several agencies. The items listed in the report for inclusion in such agreements include reciprocal representation, exchange of information and documents, recommendations to specialized agencies, assistance to the Security and Trusteeship Councils, requests for advisory opinions, requests for information by the International

Court of Justice, budgetary and financial relationships, personnel arrangements, privileges and immunities, central statistical service, and location of headquarters.

Considerable attention in the press has been given to the consideration of trusteeship by the Executive Committee and the Preparatory Commission. There has been no difference of view in these bodies as to the ultimate objective. The discussion has revolved around the question of the immediate action to be taken, this being precipitated by the fact that under article 86 of the Charter the Trusteeship Council cannot be formed until a number of territories shall first have been placed under trusteeship. The Council will consist of the members administering trust territories and as many other members elected for three-year terms by the General Assembly as may be necessary to insure that the total number of members is equally divided between the members which administer trust territories and those which do not. Any of the five permanent members of the Security Council not administering trust territories would be included in the second category, but with permanent tenure.

There was very strong opposition on the part of a minority to the recommendation adopted by the Executive Committee for the establishment of a Temporary Trusteeship Committee to consist of (1) the five permanent members of the Security Council, (2) other member states presently administering mandated territories, (3) any other member states to which may be allocated administration of territories detached from the enemy as a result of the second World War, with a view to their becoming trust territories, (4) as many other member states, to be elected by the General Assembly, as necessary to equalize administering and non-administering states.

It now seems likely that this proposal will be dropped by the Preparatory Commission with a view to the General Assembly making such *ad hoc* arrangements as it deems wise pending the negotiation of a sufficient number of trusteeship agreements to bring the Council into existence.

The principal question controverted in the case of the Secretariat has been that of the internal organization of the Secretariat. This turned on the question whether the Secretariat should be organized predominantly by organs or on so-called "functional" lines. The Executive Committee rec-

ommendations were "based upon the principle that the Secretariat should be organized functionally, each administrative unit being at the disposal of any organ of the United Nations for the performance of work falling within its competence". This it was urged would make for a more efficient utilization of personnel than perpendicular organization by organs. The minority view, which was particularly concerned with the Security Council, felt that this did not give sufficient assurance of a permanent secretariat serving the several organs. This was urged especially to be the case in view of the provision in article 101 that appropriate staffs shall be permanently assigned to the various organs, these staffs to form a part of the Secretariat.

Upon reexamination of the question in the Administrative and Financial Committee of the Preparatory Commission, it has been agreed that there is no real conflict in these two views. Under the plan as agreed upon, staffs would be permanently assigned to the several organs but would at the same time be subject to call for service to any other organ, every organ having at its disposal the whole of the Secretariat. The one exception to this rule would be the units of the Department of Security Council Affairs concerned with military and enforcement measures, which would serve exclusively the Security Council. This is based upon the exclusive competence of the Security Council in military and enforcement measures.

Emphasis in the Preparatory Commission has been upon the necessity for giving the Secretary-General ample latitude for determining and adjusting the organization of the Secretariat in the light of its needs and experience. The recommendation presently agreed upon is that at the outset the departmental organization should, broadly speaking, conform to the plan proposed by the Commission but that the Secretary-General should make such changes in the initial structure as might be required to accomplish the most effective distribution of responsibilities and functions.

Thus the Secretariat will be a single working body internally organized to deal most conveniently with the various aspects of the operations of the United Nations. This is in recognition of the fact that all the organs it serves have their responsibilities in the primary common task of maintaining peace and security—the task which is the unifying principle of the whole organization.

The President and the Secretary of State Pay Tribute to the Foreign Service

[Released to the press December 20]

High tribute to the members of the American Foreign Service has been paid by President Truman and Secretary Byrnes in Christmas messages made public in the December issue of *The American Foreign Service Journal*.

President Truman in his message stresses the contributions made by the American Foreign Service in the winning of the war and expresses himself as fortunate in having the support and counsel of all members of the Service in making secure the peace.

Secretary Byrnes lauds the Foreign Service for its significant contribution to the common victory and expresses appreciation for its generous cooperation and assistance. He voices his every confidence that the Foreign Service will meet its increased responsibilities and cope with the difficult and complex international problems arising everywhere in the future, as it has in the past, with loyalty, integrity, and singleness of purpose.

The text of the President's message follows:

TO ALL MEMBERS OF THE AMERICAN FOREIGN SERVICE:

I am delighted to express to you my sincere best wishes for the Christmas season and to congratulate you upon your achievements in the year which is drawing to a close. At this Christmas, the first since victory, you may well feel proud of the contributions you have made to the winning of the war against the forces of evil.

As emissaries of good will, and first line representatives of the American people at your outposts throughout the world, none knows better than you that victory is not enough. The despair which the liberation lifted from so many hearts will return unless we can help men to find food, clothing and shelter, help them to trust and understand one another, and, through wise policy, create the conditions in which we may exchange our goods for the benefit of all. Thus can the peace be made secure.

This is a task to which I pledge myself, and I know that I am fortunate in having the support and counsel of all of you in the Foreign Service of the United States.

HARRY S. TRUMAN

The text of the Secretary's message follows:
TO THE AMERICAN FOREIGN SERVICE:

Christmas this year is one of particular satisfaction and joy for all of us. We may rightfully take pride in a job well done, a victory well won. The Foreign Service made a significant contribution to the common victory and you may be sure that it has been realized and appreciated.

We, in the Department, are well aware of the sacrifices made and the hardships endured by the Foreign Service during the war—without complaint and in good spirit. All of you have worked hard in the most trying circumstances, many of you have had prolonged assignments abroad without relief, some of you have been separated from your families for long periods. We hope that it will be possible very soon to remedy all that and we shall make every effort to do so.

I should like to be able to say to you that, now that the war is over, the Foreign Service can relax its efforts and rest a while on well-earned laurels, but I think that you realize, perhaps better than anyone, the enormity of the task before us. If anything, the Foreign Service will have to redouble its efforts in the forthcoming year to meet its increased responsibilities and to cope with the difficult and complex international problems arising everywhere. Let us make no mistake about it, the period before us will be arduous and demanding. It will test our judgment, try our patience and challenge our perseverance. But I have every confidence that the Foreign Service will rise to the occasion in the future, as it has in the past, with loyalty, integrity and singleness of purpose.

In the year to come there will be changes in the Foreign Service, some of which may be far reaching in consequence. These are necessary if the Service is to function as it should. The constructive and helpful attitude of the members of the Foreign Service toward the reorganization of the Department and the Foreign Service has been most gratifying because it demonstrates a clear recognition of the need of strengthening and improving our machinery, and a keen interest in seeing it done.

I extend to each of you my sincerest wishes for a happy and successful new year, and I want to take this opportunity to thank you all for the generous cooperation and assistance you have already shown.

JAMES F. BYRNES

Our Obligation of Leadership

Address by ASSISTANT SECRETARY BRADEN¹

[Released to the press December 20]

This Millionth Map, which has been completed under the direction of the American Geographical Society, will in the long perspective be regarded as a great constructive achievement. It is the product of active and constructive collaboration by scientific institutions, by government bureaus, by industrial organizations, and by individuals throughout the American republics. The moral is clear. Progress, the enlargement of knowledge, the achievement of human security, all call for the constructive and determined collaboration of nations, of organizations, of individuals everywhere. We do not live alone and we cannot succeed alone.

Just as it is impossible for one man alone to make such a great map as this, so it is impossible for one single element in the nation alone to bring about relations of lasting friendship with the people of another nation. That, too, can come only from the countless threads of individual and collective association, woven together in an intimacy that brings warmth into human relationships.

That is the kind of foreign relations which we, the United States, desire to have. We cannot have it except as we respect ourselves and our obligations, at the same time respecting others and their rights in the same fashion that we expect them to respect us and our rights. We must seek to understand them as we hope they will understand us. We must never forget that intolerance begets intolerance, and that if we wish tolerance from others we must first nourish it in ourselves. In these ways we shall gain friends and benefit ourselves by helping others. The guiding principle, in these matters, must always be reciprocity. That is the root of all friendship.

As a former mining engineer who has roamed in the Andes and through the jungles of South America, I can appreciate not only the vastness of the cooperative undertaking represented by the

Millionth Map but the dangers that had to be faced in gathering the requisite information. Geographers will probably recall what Plutarch said of their far-distant predecessors, that they crowded into the outer edges of their maps the parts of the world about which they knew nothing, merely adding a note: "What lies beyond is sandy deserts full of wild beasts", or "blind marsh", or "Scythian cold", or "frozen sea". Now, in order to give the world the hundred and seven sheets of this map, you geographers have adventured into "what lies beyond". At the cost of personal peril and hardship, you have gone out into the unknown and vanquished and charted it. I find no legendary deserts "full of wild beasts" in the margins of *this* map!

If I allow myself to speak from experience of the practical difficulties that were overcome, I think I can allow myself to speak with still greater assurance, from personal experience, of the practical consequences that must follow the making of this map. "Morality", said Herbert Spencer, "knows nothing of geographical boundaries." However that may be, practical statesmanship is confronted by geographical boundaries at every turn of the road. During the three years of negotiating to put an end to warfare in the Chaco, one of the greatest obstacles we faced was the lack of any adequate maps. The most accurate of the maps on which we had to depend was as much as 60 kilometers out in some places. I recall the occasion when we mediators received from one of the parties to the dispute three or four maps we had not seen before. We mentioned this to the representative of the other party, who promptly replied: "Oh, if it's maps you want, I'll give you plenty." Within the week, we had received 150 maps, all of them different!

In point of fact, the settlement in the Chaco was influenced by the natural features of the terrain, since we set the final boundary in such a way that 130 kilometers of desert, completely arid, would serve as a natural barrier to reinforce it.

The practical point I make here, however, is that, had accurate and authoritative maps been available in the past, one cause of international misun-

¹ Delivered in New York, N.Y., on Dec. 19, 1945 before the Council of the American Geographical Society in celebration of the completion of the Society's Millionth Map of Hispanic America. Requests for complete text of this address should be made to the Division of Research and Publication, Department of State, Washington 25, D. C.

derstanding in this hemisphere might have been eliminated, thereby reducing loss of life and all the other horrors of warfare.

The lack of good maps has been behind many disputes in the western world, although I am informed that there are still about a dozen instances in this hemisphere of boundaries that remain undelimited or at least undemarcated. This, thanks in great part to the geographers, is a rapidly disappearing cause of international differences.

Such differences breed fears and suspicions that are always likely to become exaggerated out of all proportion. If there is one thing I learned from the protracted negotiations of the Chaco settlement, it is that mutual fear and suspicion between contiguous countries, especially when their armies are facing each other at close quarters, make war all but inevitable.

The development of transportation and communications has now brought all the continents and countries of the earth into close quarters, facing one another, armed with weapons of hitherto unimagined range and destructive power. To ignore any source whatsoever of fear and suspicion, under such circumstances, would be to court catastrophe. Now the principal, I may almost say the universal, source of fear and suspicion is simple ignorance. Therefore, it is imperative that statesmen see to it that the vast areas of ignorance still existing in the world—the “sandy deserts full of wild beasts”—be transformed into areas of knowledge. They must plot every river and stream, every contour, in the landscape of international relations. They must achieve detailed, accurate, and comprehensive knowledge based on the scientific approach exemplified by the cartographers.

Responsibility for the spread of knowledge falls on every nation, but especially on such a power as the United States, with its vast resources.

We, the United States, are committed by our basic principles and by international agreements not to use our power to subvert human freedom or human rights anywhere. On the contrary, we must use all the influence that our power gives us to encourage human freedom and promote respect for the basic rights of man in the world. This attitude is nowhere more clearly illustrated than in our conduct under the good-neighbor policy and its corollary policy of non-intervention.

In respect particularly of the policy of non-intervention, we are and must be especially sensitive. For no one will particularly fear the inter-

vention of the small and the weak, but the very fact of great size and strength arouses fear of what might happen should we be tempted to resort to intervention. . . .

It must be quite evident to anyone who has dealt with these problems that non-intervention cannot be negative either in concept or in practice. It is affirmative and positive by the very nature of things, since whatever we refrain from doing and whatever we refrain from saying may constitute intervention to the same degree as anything we actually do or say. We can dishonor our commitments to the cause of human freedom and to the principle of non-intervention equally by inaction as by action. If this were not so, then non-intervention would be a means for defeating the cause of freedom and encouraging the growth of tyranny. Surely this is not what is meant by non-intervention! I say we must be especially sensitive, in view of our great power, to our obligation of non-intervention. We must lean backwards. But we must lean backwards for the purpose of avoiding intervention by action and by inaction alike.

The problem we face is not how to avoid using our power. We cannot possibly avoid using it, for it weighs in the balance just as much even when we do not deliberately apply it or when we deliberately seek to avoid applying it. Not to use our power may be, in actuality, to *misuse* our power. The danger is equally great. To my mind the conclusion is inescapable that if a nation has great power, as we have it in abundance, it cannot shun the obligation to exercise commensurate leadership.

Leadership, exercised positively by us on behalf of human rights, is an obligation we must accept. Our own freedoms, our own way of life, our own democratic form of government, all depend on it. As you cartographers prepare your maps, scientifically and with infinite pains, so must our statesmen chart the course which leads to peace in the world, to human security, and to the permanent realization by mankind of its noblest aspirations. To do this, we must replace ignorance by knowledge. Whatever the difficulties and perils, we must prepare a millionth map of statesmanship to guide us in every field of international endeavor—social, economic, and political. In short, by emulating the splendid work of this great institution, the American Geographical Society, we can march forward to meet the future with confidence.

The Record of the Week

International Meetings

CALENDAR OF EVENTS

Reparation Conference	Paris	November 9-December 20
Preparatory Commission of the United Nations	London	November 24 (continuing in session)
Anglo-American Committee of Inquiry	Washington	December 10 (continuing in session)
Meeting of Foreign Secretaries: Great Britain, Soviet Union, and United States	Moscow	December 15 (continuing in session)
United Nations Organization: General Assembly	London	January 10
Far Eastern Commission	Washington	October 30-December 21
Geodesy and Geophysics Conference: Executive Committee	London	December 10-17
International Commission of the Rhine River	Strasbourg	December 12-14
Inland Transport Committee of International Labor Organization	London	December 13-20

COMMENTS AND DEVELOPMENTS

United Nations

To the Senate of the United States:

In conformity with the provisions of S. 1580, I am sending to the Senate herewith for its advice and consent nominations of the American representatives and alternate representatives for the first part of the first meeting of the General Assembly of the United Nations which is to convene in London early in January. I am also sending to the Senate herewith the nomination of the American representative to the Security Council which will also meet in London sometime in January as soon as that body has been established through the election of its non-permanent members by the General Assembly.

Section 2(d) of the pending bill wisely provides that the President, or the Secretary of State at the direction of the President, may represent the United States at any meeting of the United Nations regardless of those provisions which call for the appointment of representatives by and with the advice and consent of the Senate. At my request the Secretary of State will, for at least a portion of the session, attend the initial session of the General Assembly. For that reason I am sending to the Senate the nominations of only four representatives to the General Assembly. The Secretary of State will, during the period he is present, act as the senior representative of the United States to the General Assembly. The nominations of the alternates will insure that there will at all times be five representatives of the United States qualified under the provisions of S. 1580.

HARRY S. TRUMAN

THE WHITE HOUSE
December 19, 1945

NOMINATIONS SENT TO THE SENATE DECEMBER 19, 1945:¹

Edward R. Stettinius, Jr., of Virginia, to be the Representative of the United States of America to the United Nations with the rank and status of Ambassador Extraordinary and Plenipotentiary, and the Representative of the United States of America in the Security Council of the United Nations.

The following-named persons to be Representatives of the United States of America to the first part of the First Session of the General Assembly of the United Nations to be held in London, January 1946:

Edward R. Stettinius, Jr., of Virginia
Tom Connally, United States Senator from the State of Texas
Arthur H. Vandenberg, United States Senator from the State of Michigan
Mrs. Anna Eleanor Roosevelt, of New York

In the absence of the President or the Secretary of State, Mr. Stettinius will be the Senior Representative of the United States of America to the first part of the First Session of the General Assembly.

The following-named persons to be Alternate Representatives of the United States of America to the first part of the First Session of the General Assembly of the United Nations to be held in London, January 1946:

Sol Bloom, a Member of the United States House of Representatives from the State of New York

¹ These nominations were confirmed by the Senate on Dec. 20, 1945.

Charles A. Eaton, a Member of the United States House of Representatives from the State of New Jersey
 Frank C. Walker, of Pennsylvania
 John Foster Dulles, of New York
 John G. Townsend, Jr., of Delaware

The Preparatory Commission of the United Nations on December 22 voted, 25 to 5 in favor with 10 abstentions, to place the permanent UNO headquarters in the eastern United States. The Commission established a 12-nation subcommittee to select up to 6 sites for the General Assembly's final choice from an area bounded on the west by the Mississippi River. The subcommittee, formed of representatives of Australia, China, Cuba, France, the Netherlands, Iran, the Soviet Union, Great Britain, Uruguay, Yugoslavia, Iraq, and Poland, will make an inspection trip to the United States.

UNO. By a vote of 344 to 15, the House of Representatives passed on December 18 a Senate-approved bill providing for the appointment of United States representatives to UNO and its subordinate agencies. Minor perfecting amendments required sending the measure to conference. The main difference between the House and Senate bills is a House provision permitting members of Congress to serve as representatives to specified sessions of the General Assembly but without pay beyond their regular congressional salaries. On December 19 the House and Senate completed congressional action on the United Nations participation bill by approving the Senate-House conference compromise.

International Commission of the Rhine River. Livingston Merchant accepted the chairmanship of the Technical Committee. The next meeting of the Commission, which will be on January 17, 1946 in Brussels, will be attended by representatives from the Duisburg Committee (Tripartite Zonal Committee of Germany) and from the European Central Inland Transport Organization.

Charter of the United Nations. Julián R. Cáceres, Ambassador of Honduras, deposited the instrument of ratification of the Charter by Honduras on December 17.

César Montero de Bustamante, Chargé d'Affaires ad interim of Uruguay, deposited the Uruguayan instrument of ratification of the Charter on December 18.

The Charter has been approved by the legislative bodies of Belgium, Ecuador, and Iraq, but those three countries have not yet deposited their instruments of ratification.

This deposit by Honduras and Uruguay makes a total of 48 of the 51 signatory nations that have taken this action.

Bretton Woods Agreements. The signing of the Bretton Woods Fund and Bank agreements is scheduled to take place on Thursday, December 27, 1945 in the Department of State on behalf of the United States of America and of such of the other countries signatory to the Final Act of the United Nations Monetary and Financial Conference held at Bretton Woods in July 1944 as are prepared to sign those agreements on that date. The Secretary of the Treasury, Fred M. Vinson, has been authorized by the President to sign the two agreements on behalf of the United States.

China, Czechoslovakia, Egypt, Ethiopia, the Philippine Commonwealth, and the Union of South Africa have al-

ready indicated their readiness to sign the agreements. The Department is also informed that Belgium, Canada, Colombia, Cuba, Ecuador, Guatemala, France, the Netherlands, Venezuela, and Yugoslavia may be prepared to sign the agreements with the United States, and that by December 27 a number of other countries will probably accept them.

No quota in the Fund or subscription to the Bank has as yet been fixed for Denmark, the forty-fifth country.

The total of the quotas for the Fund is \$8,800,000,000, and the total of the subscriptions to the Bank is \$9,100,000,000. Sixty-five percent of those amounts would be, respectively, \$5,720,000,000 (Fund) and \$5,915,000,000 (Bank). The aggregate quotas and aggregate subscriptions of the countries indicated above are considerably more than the 65 percent of the total of the quotas and of the subscriptions, respectively, necessary to bring the two agreements into effect.

It is provided in each of the agreements that as soon as it enters into force each member country shall appoint a governor to the Fund and to the Bank, and that the first meeting of the Board of Governors of the Fund and the Board of Governors of the Bank shall be called by the member having the largest quota or the largest subscription, as the case may be, thus inaugurating the Fund and Bank. The quota and the subscription of the United States are the largest of those fixed for the Fund and Bank, respectively.

Far Eastern Commission

CHAIRMAN

Maj. Gen. Frank R. McCoy (U. S. A., Ret.)

DELEGATIONS

Australia: Sir Frederic Eggleston (Minister); Mr. John Oldham; Maj. J. Plimsoll

Canada: Mr. Lester B. Pearson (Ambassador); Maj. Gen. H. F. G. Letson; Brig. N. E. Rodger; Mr. R. E. Collins; Mr. Graham Morrow; Mr. P. Tremblay; Mr. A. E. Ritchie

China: Dr. Wei Tao-ming (Ambassador); Dr. Liu Shih-Shun; Dr. Hollington K. Tong; Lieut. Gen. Chu Shih-ming; Mr. Yang Yun-chu; Mr. Hsia Ching-lin; Maj. Gen. Wang Pei Chen; Mr. Timothy Tien-Tseh Mar; Mr. Wang Shou Chin

France: Mr. Paul E. Naggiar; Mr. Francis Lacoste; Mr. Paul Guerin; Mr. Pierre Sauvageot; Mr. Christian Valensi; Mr. Ernest Castan; Mr. Ricaud; Mr. Blanc; Mr. El Ghozi; Col. Victor Morizon; Col. Vandenbrouke; Commander Holley Williams; Commander Benedictus; Mr. Jean C. Baube

India: Sir Girja Shankar Bajpai; Mr. R. R. Saksena

Netherlands: Dr. A. Loudon; Dr. de Kat Angelino; Mr. O. Reuchlin; Dr. G. A. Ph. Weyer

New Zealand: Mr. C. A. Berendsen (Minister); Mr. J. S. Reid; Air Commodore J. L. Findlay; Col. W. N. Pharazyn

Philippines: Brig. Gen. Carlos Romulo; Mr. Manuel A. Adeva; Mr. Tomas Confesor; Dr. Jose F. Imperial; Dr. Urbano A. Zafra; Dr. Melquiades J. Gamboa; Dr. Leopoldo T. Ruiz

United Kingdom: Lord Halifax (Ambassador); Sir George Sansom; Mr. B. Cockram; Col. W. A. Howkins; Mr. M. E. Bathurst; Mr. F. C. Everson; Mr. M. B. Thresher

United States: Maj. Gen. Frank R. McCoy (U. S. A., Ret.); Mr. E. R. Dickover; Col. C. Stanton Babcock; Dr. George H. Blakeslee

SECRETARIAT

Secretary General: Mr. Nelson T. Johnson

Deputy Secretary General: Mr. Harold W. Moseley

Assistant Secretary General: Mr. John P. Gardiner

Executive Secretary: Mr. Hugh D. Farley

Documents Officer: Mr. Richard D. Weigle

Administrative Assistant: Mr. Charles H. Pendleton

Recording Secretary: Mr. Carl H. Pfuntner

The Far Eastern Commission, under the chairmanship of the American representative, Maj. Gen. Frank R. McCoy, is leaving Washington on December 26 for a visit to Japan. This Commission, which has been set up in Washington on the invitation of the United States Government, is established for the purpose of enlisting the consultation of those governments concerned with the occupation of Japan on matters of policy relating to the occupation. The visit to Japan is for the purpose of permitting the members of the Commission to consult with General of the Army MacArthur, Supreme Commander for the Allies, and to inform themselves of present conditions and problems connected with the occupation.

The Commission will spend about three weeks in Japan. It will travel to and from Japan on the U.S.S. Mount McKinley and while in Japan will use the ship as a place to live and work, thus relieving the Supreme Commander of the necessity of finding housing accommodations for such a large group. It is expected that the Commission will return to Washington about the middle of February.

The Supreme Commander has indicated that he looks forward to the visit of the Commission as an opportunity for consultation from which he expects the greatest possible aid.

Anglo-American Committee of Inquiry. It was announced on December 20 by the American chairman of the Anglo-American Committee of Inquiry after a trans-Atlantic telephone conversation with Sir John E. Singleton, the British chairman, that hearings will open in Washington on January 7, 1946 before the full Committee.

The Committee issued this statement in Washington and London:

"After discussion it was the view of the Committee that they should begin their deliberations in London and Washington. It was considered in the circumstances that the best procedure was for the British members to join their American colleagues in Washington and for the whole Committee to return to London as the best point of departure for the countries in which problems arose."

The Committee was appointed by President Truman and Prime Minister Attlee "To examine political, economic, and social conditions in Palestine as they bear upon the

problem of Jewish immigration" and "To examine the position of the Jews in those countries in Europe where they have been the victims of Nazi and Fascist persecution."

Members of the Committee are continuing their study of the background of the problems in preparation for the Washington hearings and the examination of conditions in Europe and Palestine.

Another meeting of the American members was held at the State Department on December 20. The appointment of Leslie L. Rood as secretary of the Committee was announced. Evan M. Wilson and F. Vickery Loud are to be Committee research assistants and William Rountree its administrative assistant.

Various Jewish, Arab, and Christian groups which have manifested interest in these problems are being invited to submit their views before the Committee. While the Committee has endeavored to issue invitations to all organizations concerned, it will welcome a submission of views by other organizations. Advice on the method of presentation may be obtained by communicating with the secretary of the Committee at the State Department.

Recognition of New Yugoslav Regime

[Released to the press December 22]

Instruction sent to the American Ambassador in Belgrade

The Yugoslav Ambassador on December 10 transmitted to the Secretary of State the following communication:

"The Ambassador of Yugoslavia presents his compliments to the Honorable the Secretary of State and has the honor to notify the Government of the United States of America that the Yugoslav Constituent Assembly in the session of the 29th of November 1945, in accordance with the freely expressed will of the peoples of Yugoslavia, in the name of the people and in the name of the legal decisions taken by both houses of the Constituent Assembly, proclaimed Democratic Federative Yugoslavia a people's republic with the name 'Federative People's Republic of Yugoslavia'. By the same decision the monarchy has been abolished and Peter Karadjordjevic together with the entire Karadjordjevic dynasty deprived of all rights previously vested in him and in his dynasty.

"On the 1st of December, 1945, the Constituent Assembly enacted the law of the Presidium of the Constituent Assembly. Under this law the Presidium of the Constituent Assembly is elected by both houses and consists of one president, six vice presidents, two secretaries and a maximum of thirty members. According to paragraph three of said law the Presidium, among other executive functions, represents inside and outside the country, the sovereignty of the people and of the state as the Federative People's Republic of Yugoslavia. The Presidium appoints the ambassadors, plenipotentiary ministers and extraordinary envoys to foreign countries at the proposal of the Federative Government. The Presidium receives the credentials of the diplomatic representatives of foreign countries. According to paragraph six, when the Constituent Assembly becomes the regular Assembly the Presidium of the Constituent Assembly *ipso facto* becomes the Presidium of the regular Assembly. This law became effective on

adoption by the Constituent Assembly the 1st of December, 1945.

"In accordance with this law, the Presidium of the Constituent Assembly was elected as follows: President: Ivan Rybar, former president of the Provisional Assembly; Vice Presidents: Mosa Pijade, Filip Lakus, Josip Rus, Djuro Pucar, Dimtri Vlahov and Marko Vujacic; Secretary: Mile Perunicic."

The following reply dated December 22 has now been communicated to the Ambassador:

"The Acting Secretary of State presents his compliments to His Excellency the Ambassador of Yugoslavia and has the honor to inform the Ambassador that the United States Government, having taken note of the contents of the Ambassador's communication no. A. Br. 1070 of December 10, 1945, recognizes the changes which have taken place in the constitution of Yugoslavia and the establishment of a republic under the name 'Federative People's Republic of Yugoslavia' in accordance with decisions of the Constituent Assembly referred to therein.

"It is assumed that, pursuant to international custom, the new Yugoslavia Government will, as a member of the family of nations and as one which has subscribed to the principles of the Declaration by the United Nations, accept responsibility for Yugoslavia's international obligations, and be disposed to confirm its continued recognition of the existing treaties and agreements between the United States and Yugoslavia. Upon receipt of assurances in this sense, the United States Government is prepared to proceed with the issuance of appropriate letters of credence accrediting the United States Ambassador in Belgrade to the new Yugoslav regime."

Mindful of the obligations which it assumed at Yalta, the United States Government has consistently made known its attitude that the people of Yugoslavia are entitled to expect the effective implementation of the guarantees of personal freedom, freedom from fear, liberty of conscience, freedom of speech, liberty of the press and freedom of assembly and association contained in the agreement between Marshal Tito and Dr. Subasic underlying the Yalta Declaration and to have an opportunity to express their will in a free and untrammelled election. In view of conditions existing in Yugoslavia, it cannot be said that those guarantees of freedom have been honored nor that the elections conducted on November 11 provided opportunity for a free choice of the people's representatives. In the circumstances the United States Government desires that it be understood that the establishment of diplomatic relations with the present regime in Yugoslavia should not be interpreted as implying approval of the policies of the regime, its methods of assuming control or its failure to implement the guarantees of personal freedom promised its people. You should make it quite clear to the authorities and people of Yugoslavia that we entertain only the friendliest sentiments toward the peoples of the country and that it is our anticipation that the evolution of events will provide developments which will make possible those relations—both political and economic—between the peoples of Yugoslavia and the United States which we on our part most urgently desire to see.

Withdrawal of Request Deferring British-Siamese Agreement

[Released to the press December 22]

The British-American conversations regarding certain terms of the proposed British-Siamese agreement have now been concluded. The Department of State has accordingly notified both the British and Siamese Governments that it is withdrawing its recent request that they defer final conclusion of the agreement while those conversations were in progress. This Government appreciates the courtesy of both Governments in acceding to its request.

U. S. Concern Over Developments in Netherlands East Indies

[Released to the press December 19]

In bringing to a conclusion the war against Japan there was assigned to the South East Asia Command, on behalf of the Allies, the responsibility of accepting the Japanese surrender in the Netherlands East Indies, of disarming and removing the Japanese forces, of securing the surrender of Japanese equipment, of liberating or repatriating Allied prisoners of war, and of assuring the safety of more than 100,000 civilians, the majority of them women and children, who had been interned by the Japanese.

The carrying out of this mandate has been complicated by the differences between Indonesians and the Netherlands authorities. It has been necessary in connection with the Allied objectives for the troops under the South East Asia Command to assure such order as is necessary for their execution.

In connection with the responsibilities relating to the surrender of the Japanese in the Netherlands East Indies there was no thought so far as the United States was concerned of extending the Allied mandate beyond these specific responsibilities.

The United States Government has viewed with increasing concern recent developments in the Netherlands East Indies. It had hoped that conversations between the Indonesians and the Netherlands authorities would have resulted in a peaceful settlement recognizing alike the natural aspirations of the Indonesian peoples and the legitimate rights and interests of the Netherlands. There has apparently been a cessation of these conversations.

The United States recognizes that the primary responsibility for arriving at agreement lies with the Netherlands authorities, as representatives of the territorial sovereign, and the Indonesian leaders. The United States cannot fail, however, to be deeply interested in the solution which may be achieved of problems that are of vital importance to the entire world. Our sole desire is to see such peaceful settlement achieved as will best promote world stability and prosperity and the happiness of people. Such a settlement can be attained only through a realistic, broad-minded, and cooperative approach on the part of all concerned and a will to reconcile differences by peaceful means. Extremist or irresponsible action—or failure to present or consider specific proposals—can lead only to a disastrous situation.

The United States earnestly hopes that all parties in the Netherlands Indies will see the necessity of an early resumption of conversations looking toward a peaceful solution of the conflict in the Netherlands East Indies which will be in harmony with the principles and ideals of the Charter of the United Nations Organization and of the United Nations Declaration under which victory over the Axis was achieved.

U. S. Takes Possession of Japanese Property

[Released to the press December 20]

At 3:30 on the afternoon of December 20 the United States Government formally took custody from the Swiss Legation of the Japanese diplomatic and consular premises and property which had been under the protection of the Swiss Government. This transfer was accomplished by means of a protocol signed jointly by Mr. Charles Bruggmann, Minister of Switzerland, and Mr. Donald Russell, Assistant Secretary of State.

The relinquishment of custody of this property by the Swiss Government was in accordance with instructions given by the Japanese Government, based upon a directive issued by General MacArthur on October 25, 1945.

According to the protocol of transfer, the Swiss Legation not only released to the Department of State the Japanese diplomatic and consular property at Washington but also agreed to release any Japanese property under the protection of the Swiss Consulates at New York, San Francisco, Chicago, Los Angeles, New Orleans, and Seattle. The details relating to this phase of the transfer will be accomplished between field representatives of the Department and the local Swiss consular officials.

The Legation of Switzerland at Washington has been charged with the representation of Japanese interests in the United States with the exception of the Territory of Hawaii since last July. The handling of this work has been the special responsibility of Werner E. Weingartner, Chief of the Legation's Special Division. Representation of Japanese interests in the United States from the outbreak of the war with Japan until March of this year was in the hands of the Spanish Government. In the interim, the Japanese premises at Washington were accorded protection by the United States Government.

The representation of Japanese interests in the Territory of Hawaii is the responsibility of the Swedish Government and is handled by the Swedish Legation at Washington and the Swedish Consulate at Honolulu. It is expected that the release to the custody of the United States Government of the Japanese diplomatic and consular premises, archives, and other property in the Territory of Hawaii will be accomplished in the near future.

These premises will be used for official purposes, including one small wing reserved for use by the Department of State in connection with the custody of Japanese archives and for the activities of the Swiss Legation in protecting the interests of individual Japanese nationals, which will continue, in accordance with General MacArthur's directive.

American Firms Charged With Aiding Mexican Political Factions

The Department of State announced on December 18 that the American Ambassador at Mexico City has informed the Department of State of a speech made by the Mexican labor leader, Vicente Lombardo Toledano, charging private American firms with supplying arms and ammunition to Mexican political factions. In view of the seriousness of these charges, the Department has asked Ambassador Messersmith to inquire of the Mexican Minister for Foreign Affairs concerning any information he may be able to supply regarding this matter.

The Department of State announced on December 21 that the following statement has been made to Ambassador Messersmith by the Mexican Under Secretary for Foreign Affairs:

- (1) The Government of Mexico does not associate itself with or support the statements of Sr. Lombardo Toledano.
- (2) The Mexican Government will see that the appropriate investigations are made in an endeavor to clear up the matter and the American Embassy will be informed of the result of such investigation.

The Government of Mexico has authorized the communication to the press of the foregoing two-point statement.

Canada and U. S. To Simplify Customs Procedures

[Released to the press December 21]

Statement released simultaneously in Ottawa and Washington

Representatives of the Canadian and United States Governments met in Ottawa on December 17-19 and discussed a number of mutual problems arising by reason of the termination of the war, or of renewed interest because of that event, and relating to the simplification of customs procedures at the border. This exchange of views has been helpful and it has been found that there are many problems which require further study and action for the benefit of citizens of both countries. The two governments have approved a recommendation that there be set up a Joint Committee to consider and report on ways and means of facilitating the entry through their respective Customs of passengers, goods and vehicles, including aircraft.

Bearing in mind the successful cooperation of the two countries during the war through the implementation of the Hyde Park Declaration and the expressed desire of both governments to ensure the maximum flow of goods and services contributory to an expanding economy, the Committee will study and make recommendations upon such problems as the following:

1. Further simplification of customs procedures affecting travelers and tourists.
2. Customs arrangements relating to the joint use of airports located near the United States-Canadian boundary and to the entry of tourist aircraft.

3. Entry and in-transit movement of foreign motor vehicles, including aircraft, with or without goods or passengers.

4. Examination and documentation for movements of goods by rail.

5. Coordination of administrative practices.

The Committee will include representatives of the Customs authorities of both governments, the Department of External Affairs, the Department of State and other Departments of both governments. Its recommendation will be made jointly through the Department of External Affairs and the Department of State.

In view of the character of some of the problems, the Committee will commence its work as soon as possible.

France and Netherlands To Join AACC

[Released to the press December 20]

The Governments of France and the Netherlands have accepted an invitation extended to them by the Governments of the United Kingdom and the United States of America to join the Anglo-American Caribbean Commission.

The name of the Commission will be changed appropriately, and a joint communiqué will be issued by the four Governments concerned in due course.

Letters of Credence

Poland

The newly appointed Ambassador of Poland, Oskar Lange, presented his letters of credence to the President on December 21. For texts of the Ambassador's remarks and the President's reply see Department of State press release 952.

Death of Elie Garcia

STATEMENT BY THE PRESIDENT

[Released to the press December 24]

I have been saddened at receiving the news of the death of Mr. Elie Garcia, the Chargé d'Affaires of the Haitian Embassy in Washington. Mr. Garcia had resided for a number of years in this capital, where he served his country with distinction as Secretary of the Haitian Embassy, and on several occasions as Chargé d'Affaires.

During the difficult times of the war years, Mr. Garcia's work in bringing into close harmony the policies and activities of the Haitian and United States governments contributed measurably to the successful prosecution of the two governments' war efforts.

I am today sending to President Lescot of Haiti my personal condolences upon the loss which I know he feels as a friend of Mr. Garcia of many years' standing. The Republic of Haiti has lost a faithful and loyal public servant.

STATEMENT BY ACTING SECRETARY ACHESON

[Released to the press December 24]

I have just learned with regret of the death at the Bethesda Naval Hospital of Mr. Elie Garcia, the Chargé d'Affaires of the Embassy of Haiti. Mr. Garcia, who represented his country for a number of years in Washington as Secretary of Embassy, had served his country to the end, ably and with outstanding success.

It was my pleasure, in the years when I was Assistant Secretary of State, to have collaborated with Mr. Garcia on a number of questions, involving not only the mutual problems of Haiti and of the United States, but also those dealing with the security and increased solidarity of the nations of the Western Hemisphere. I, and my associates in the Department of State, met unfailing understanding and cooperation from Mr. Garcia, of whom it may be truly said both that the people and government of the Republic of Haiti have lost a distinguished member of their diplomatic service, and that this country has lost a great friend.

THE FOREIGN SERVICE

Confirmations

On December 14, 1945 the Senate confirmed the nomination of H. F. Arthur Schoenfeld to be American Envoy Extraordinary and Minister Plenipotentiary to Hungary.

Diplomatic and Consular Offices

The American Embassy and the American Consulate at Tehran, Iran, were combined on December 6, 1945.

The American Consulate General at Tientsin, China, was opened to the public on December 17, 1945.

THE CONGRESS

Requesting the Secretary of State To Give Information Regarding the Resignation of Gen. Patrick J. Hurley and the Sabotage of Our Foreign Policy in China. H. Rept. 1376, 79th Cong., to accompany H. Res. 443. 7 pp. [Adverse report.]

Reorganizations in Executive Branch. H. Rept. 1378, 79th Cong., to accompany H.R. 4129. 11 pp.

Providing for the Appointment of Representatives of the United States in the Organs and Agencies of the United Nations, and To Make Other Provision With Respect to the Participation of the United States in Such Organization. H. Rept. 1383, 79th Cong., to accompany S. 1580. 8 pp. [Favorable report.]

Opening of Palestine for Free Entry of Jewish People. H. Rept. 1463, 79th Cong., to accompany H. Con. Res. 113. 2 pp. [Favorable report.]

Participation in the United Nations Organization. H. Rept. 1465, 79th Cong., to accompany S. 1580. 3 pp.

Restoration of Palestine as a Homeland for the Jewish

People. S. Rept. 855, 79th Cong., to accompany S. Con. Res. 44. 2 pp. [Favorable report.]

Enabling the United States To Further Participate in the Work of the United Nations Relief and Rehabilitation Administration. S. Rept. 856, 79th Cong., to accompany H.R. 4649. 3 pp. [Favorable report.]

Further Participation in Work of UNRRA: Hearings Before the Committee on Foreign Affairs, House of Representatives, Seventy-ninth Congress, first session, on H.R. 4649, a bill to enable the United States to further participate in the work of the United Nations Relief and Rehabilitation Administration. November 14, 15, 16, 19, 20, 21, 22, 23, 1945. ii, 374 pp. [Indexed.]

First Deficiency Appropriation Bill, 1946. S. Rept. 857, 79th Cong., to accompany H.R. 4805. 10 pp. [State Department, p. 8.]

Expediting the Admission to the United States of Alien Spouses and Alien Minor Children of Citizen Members of the United States Armed Forces. S. Rept. 860, 79th Cong., to accompany H.R. 4857. 2 pp. [Favorable report.]

Immunities for International Organizations. S. Rept. 861, 79th Cong., to accompany H.R. 4489. 7 pp. [Favorable report.]

Termination of Hostilities and Extension of Second War Powers Act of 1942: Hearings Before Subcommittee No. 4 of the Committee on the Judiciary, House of Representatives, Seventy-ninth Congress, first session, on H. Con. Res. 85, H. Con. Res. 86, H. Con. Res. 91, declaring the date of termination of hostilities in the present war; H.J. Res. 245, a joint resolution to declare September 2, 1945, as the date of cessation of hostilities in the present war; H. Con. Res. 98, declaring the end of the unlimited emergency, the national emergency, and the termination of hostilities of World War II; and proposed extension of certain titles of the Second War Powers Act of 1942. October 26 and 29, 1945. Serial No. 10. iii, 132 pp. [Department of State, p. 128.]

First Deficiency Appropriation Bill, 1946. H. Rept. 1464, 79th Cong., to accompany H.R. 4805. 12 pp.

First Deficiency Appropriation Bill for 1946: Hearings Before a Subcommittee of the Committee on Appropriations, United States Senate, Seventy-ninth Congress, first session, on H.R. 4805, a bill making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1946, and for prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1946, and for other purposes. Part 1, ii, 600 pp. [Indexed.] Part 2, ii, 197 pp. [Indexed.]

Term of President of the United States: Hearings Before a Subcommittee of the Committee on the Judiciary, United States Senate, Seventy-ninth Congress, first session. . . . September 27, 1945. iii, 19 pp.

War Plants Disposal—Aircraft Plants: Hearing Before the Surplus Property Subcommittee of the Committee on Military Affairs and Industrial Reorganization Subcom-

mittee of the Special Committee on Economic Policy and Planning, United States Senate, Seventy-ninth Congress, first session, pursuant to S. Res. 46 and S. Res. 33. Part 1, October 29, 1945. iii, 65 pp. [Department of State, pp. 5-27.]

Stock-Piling: Hearing Before the Subcommittee on Surplus Property of the Committee on Military Affairs, United States Senate, Seventy-ninth Congress, first session, on S. 752 and S. 1481, bills to amend the act of June 7, 1939 (53 Stat. 811), as amended, relating to the acquisition of stocks of strategic and critical materials for national defense purposes, and S. 1522, a bill to regulate the disposition of accumulations of strategic and critical materials. October 30, 1945. iii, 76 pp.

Philippine Rehabilitation Act of 1945: Hearings Before the Committee on Territories and Insular Affairs, United States Senate, Seventy-ninth Congress, first session, on S. 1488, a bill to provide for the rehabilitation of the Philippine Islands, and for other purposes. October 22, 23, 24, 29, and 30, 1945. iii, 177 pp. [Department of State, pp. 74-85.]

Publications of the DEPARTMENT OF STATE

For sale by the Superintendent of Documents, Government Printing Office, Washington 25, D. C., who is the authorized distributor of Government publications. To avoid delay, address requests direct to the Superintendent of Documents, except in the case of free publications, which may be obtained from the Department of State.

**Diplomatic List*, December 1945. Publication 2437. ii, 137 pp. Subscription, \$2 a year; single copy 20¢.

Monthly list of foreign diplomatic representatives in Washington, with their addresses, prepared by the Division of Protocol of the Department of State.

**Foreign Service List*, October 1, 1945. Publication 2416. ii, 65 pp. 15¢.

Officers in the American Foreign Service and their post assignments as of October 1, 1945.

A cumulative list of publications of the Department of State, from October 1, 1929 to July 1, 1945 (publication 2373), may be obtained from the Department of State.